

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

## INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
16-CA-230318	10/31/2018

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer <b>UNITED PARCEL SERVICE</b>		b. Tel. No.
		c. Cell No.
d. Address (street, city, state ZIP code) <b>116 E OLD SETTLERS BLVD. ROUND ROCK, TX 78664-2248</b>	e. Employer Representative <b>(b) (6), (b) (7)(C)</b>	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) <b>Round Rock, TX</b>
i. Type of Establishment (factory, nursing home, hotel) <b>delivery services</b>	j. Principal Product or Service <b>delivery services</b>	k. Number of workers at dispute location <b>1000</b>
l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a)(1)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) <b>SEE ATTACHMENT</b>		

3. Full name of each labor union (if labor organization, give full name, including local name and number) <b>(b) (6), (b) (7)(C)</b>	
4a. Address (street and number, city, state, and ZIP code) <b>(b) (6), (b) (7)(C)</b>	4b. Tel. No. <b>(b) (6), (b) (7)(C)</b>
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail <b>(b) (6), (b) (7)(C)</b>
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
Tel. No. <b>(b) (6), (b) (7)(C)</b>	
Office, if any, Cell No.	
Fax No.	
e-Mail <b>(b) (6), (b) (7)(C)</b>	
Address: <b>(b) (6), (b) (7)(C)</b> Date: <b>10-31-18</b>	
<b>(b) (6), (b) (7)(C)</b>	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Charge Against UPS - Attachment

The Employer through its managers, supervisors and agents retaliated against (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) protected concerted and Union activities including filing grievances, going to Teamsters Local 657 for assistance, and making complaints to the UPS hotline about the Employer's treatment of other employees, failure to provide adequate water for employee, and a supervisor's displaying of an objectionable flag in the workplace.

The Employer retaliated by the following actions:

1. The Employer removed (b) (6), (b) (7)(C) from the seniority list for (b) (6), (b) (7)(C) after (b) (6), (b) (7)(C) complained about sexual harassment by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) had been on the list, which was posted for several months. Several (b) (6), (b) (7)(C) repeatedly told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was eligible for the (b) (6), (b) (7)(C) list.
2. The Employer by its agent (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would be awarded a (b) (6), (b) (7)(C) position only if (b) (6), (b) (7)(C) agreed to drop any grievance or claim against (b) (6), (b) (7)(C).
3. The Employer required (b) (6), (b) (7)(C) to start over completely with (b) (6), (b) (7)(C) training, and delayed (b) (6), (b) (7)(C) training for several months.
4. The Employer failed to investigate when employee (b) (6), (b) (7)(C) physically assaulted (b) (6), (b) (7)(C) and issued discipline to (b) (6), (b) (7)(C).
5. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) more onerous work assignments including more difficult and time consuming (b) (6), (b) (7)(C).
6. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) to other employees, while telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) had to "pick (b) (6), (b) (7)(C) down" from the (b) (6), (b) (7)(C) that were left over (resulting in (b) (6), (b) (7)(C) being assigned the more difficult (b) (6), (b) (7)(C)).
7. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) a more difficult (b) (6), (b) (7)(C) on "peak" while other (b) (6), (b) (7)(C) trainees are assigned less difficult (b) (6), (b) (7)(C).
8. During (b) (6), (b) (7)(C) training, the Employer treated (b) (6), (b) (7)(C) differently from other employees who have come in late, by sending (b) (6), (b) (7)(C) home early or assigning (b) (6), (b) (7)(C) the most difficult work assignments while other employees' lateness is tolerated;
9. The Employer failed to review or grant (b) (6), (b) (7)(C) sick leave requests based on a doctor note;
10. During (b) (6), (b) (7)(C) training, the Employer failed to train (b) (6), (b) (7)(C) properly for (b) (6), (b) (7)(C) assignments;
11. During (b) (6), (b) (7)(C) training, the Employer tolerated or encouraged mislabeling of packages so that (b) (6), (b) (7)(C) is prevented from performing (b) (6), (b) (7)(C) duties in a timely manner;
12. During (b) (6), (b) (7)(C) training, the Employer denied (b) (6), (b) (7)(C) the opportunity to come to work early so that (b) (6), (b) (7)(C) can properly perform (b) (6), (b) (7)(C) duties, while other employees were previously permitted to come to work early for the same reason.
13. The Employer threatened employees with retaliation if they refused to change their witness statements concerning the assault by employee (b) (6), (b) (7)(C) of employee (b) (6), (b) (7)(C).
14. The Employer disqualified (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C) during (b) (6), (b) (7)(C) training period.



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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, October 29, 2018 4:49 PM  
**To:** Girer, Randy M  
**Subject:** Disqualified

I would like to proceed with my charge against the employer. I was disqualified today without being allowed to complete my (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) said that I haven't proven that I'm capable, to include I'm asking for help too often.

[Sent from Yahoo Mail for iPhone](#)

Case Name: United Parcel Service  
Case No.: 16-CA-230318  
Agent: [AGENT NAME AND TITLE]

## CASEHANDLING LOG

[illegible]



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

November 2, 2018

(b) (6), (b) (7)(C)

Re: United Parcel Service  
Case 16-CA-230318

DEAR (b) (6), (b) (7)(C):

The charge that you filed in this case on October 31, 2018 has been docketed as case number 16-CA-230318. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** The case was filed in Region 16 but is being handled by Region 20 as part of the Agency's intra-Regional transfer program. This charge will be investigated by Field Attorney RANDY M. GIRER whose telephone number is (628)221-8845. If this Board agent is not available, you may contact Supervisory Attorney JENNIFER BENESIS whose telephone number is (628)221-8846.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you



fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

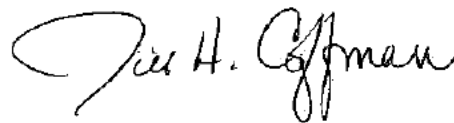
**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

JILL H. COFFMAN  
REGIONAL DIRECTOR



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

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Download  
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Mobile App

November 2, 2018

**(b) (6), (b) (7)(C)**  
UNITED PARCEL SERVICE  
116 E OLD SETTLERS BLVD  
ROUND ROCK, TX 78664-2248

Re: United Parcel Service  
Case 16-CA-230318

DEAR **(b) (6), (b) (7)(C)**:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** The case was filed in Region 16 but is being handled by Region 20 as part of the Agency's intra-Regional transfer program. This charge will be investigated by Field Attorney RANDY M. GIRER whose telephone number is (628)221-8845. If this Board agent is not available, you may contact Supervisory Attorney JENNIFER BENESIS whose telephone number is (628)221-8846.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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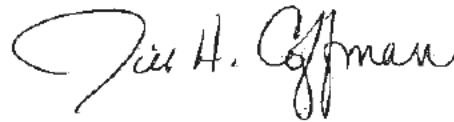
**Procedures:** We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.



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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



JILL H. COFFMAN  
REGIONAL DIRECTOR

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Copy of charge only sent to:

(b) (6), (b) (7)(C)  
UNITED PARCEL SERVICE, INC.  
55 GLENLAKE PKWY, NE  
BLDG 3, FL 4  
ATLANTA, GA 30328-3498

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

16-CA-230318

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount):  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: **10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**UNITED PARCEL SERVICE**

Charged Party

and

**(b) (6), (b) (7)(C)**

Charging Party

**Case 16-CA-230318**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 2, 2018, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

**(b) (6), (b) (7)(C)**

UNITED PARCEL SERVICE  
116 E OLD SETTLERS BLVD  
ROUND ROCK, TX 78664-2248

November 2, 2018

Date

Cynthia Davis, Designated Agent of NLRB

Name



Signature



NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

United Parcel Service

and

(b) (6), (b) (7)(C)

CASE 16-CA-230318

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_  
United Parcel Service

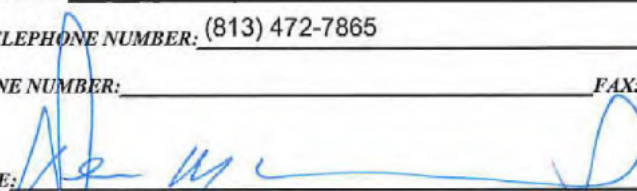
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Dennis M. McClelland  
MAILING ADDRESS: Phelps Dunbar LLP, 100 South Ashley Drive, Suite 2000, Tampa, Florida 33602  
E-MAIL ADDRESS: dennis.mcclelland@phelps.com  
OFFICE TELEPHONE NUMBER: (813) 472-7865  
CELL PHONE NUMBER: \_\_\_\_\_ FAX: (813) 472-7570  
SIGNATURE:   
(Please sign in ink.)  
DATE: November 19, 2018

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

United Parcel Service
and (b) (6), (b) (7)(C)
TO: (Check One Box Only) <sup>1</sup>

CASE 16-CA-230318

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_  
United Parcel Service

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

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(REPRESENTATIVE INFORMATION)

NAME: Laura Bradarich Williams	
MAILING ADDRESS: Phelps Dunbar LLP, 115 Grand Avenue, Suite 222, Southlake, TX 76092	
E-MAIL ADDRESS: laura.bradarich@phelps.com	
OFFICE TELEPHONE NUMBER: (817) 305-0328	
CELL PHONE NUMBER:	FAX: (817) 488-3214
SIGNATURE: 	
(Please sign in ink.)	
DATE: 11/19/2018	

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL COUNSEL OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, December 14, 2018 4:45 PM  
**To:** Girer, Randy M  
**Subject:** Re: IBT (UPS) and UPS, confirming withdrawal of all charges and notification of 6 month time limits

You are right. I couldn't find the fax confirmation showing that I did send affidavit

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, December 12, 2018, 11:45 PM, Girer, Randy M <Randy.Girer@nlrb.gov> wrote:

Ok- please send me the signed affidavit tomorrow. You can put it in the mail to me. Or fax it. I will need your signed statement in order to send the case up to my supervisor.  
I am sorry but I have not been able to locate a signed copy.

*Randy M. Girer*

*Field Attorney  
National Labor Relations Board, Region 20*

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*San Francisco, CA 94103*

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, December 12, 2018 9:42 PM  
**To:** Girer, Randy M  
**Subject:** Re: IBT (UPS) and UPS, confirming withdrawal of all charges and notification of 6 month time limits

Will do but I want you to proceed with the charge against the union, please

[Sent from Yahoo Mail for iPhone](#)



On Wednesday, December 12, 2018, 11:39 PM, Girer, Randy M <Randy.Girer@nlrb.gov> wrote:

(b) (6), (b) (7)(C)

When you file a new charge, at that time, the case will be assigned to a Board agent. Make sure that you let the Board agent know that you filed a previous case, because all the evidence and statements that you gave to date have been uploaded to our files, so they will be available to the Board agent who will be assigned your case.

Randy

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**From:** (b) (6), (b) (7)(C)

**Sent:** Wednesday, December 12, 2018 9:32 PM

**To:** Girer, Randy M

**Subject:** Re: IBT (UPS) and UPS, confirming withdrawal of all charges and notification of 6 month time limits

I will be pursuing these by another NLB attorney when I have time. I do have evidence. It is the time that I do not have.

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, December 12, 2018, 7:36 PM, Girer, Randy M <Randy.Girer@nlrb.gov> wrote:

PS: I am not processing this withdrawal request until Friday, because of other casework --so if you change your mind (particularly about the first two charges, where the investigation is mostly done), let me know.

**Unless I hear otherwise from you, I will assume that you are withdrawing all charges at this time.**

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**From:** Girer, Randy M

**Sent:** Wednesday, December 12, 2018 5:34 PM

**To:** (b) (6), (b) (7)(C)

**Subject:** IBT (UPS) and UPS, confirming withdrawal of all charges and notification of 6 month time limits

(b) (6), (b) (7)(C)

[This will confirm that you told me by telephone that you wish to withdraw all charges currently pending against the](#)

**Teamsters and UPS, and that you will re-file when you have more time to provide evidence in the investigation.**

Your charge against the Union was filed on 9-19 and the charges against the Employer were filed on 10-31 and 11-19.

**Please note that the six month time limit for filing charges will run out on certain allegations, and you will not be able to re-file those allegations:**

(1) Union delay until (b) (6), (b) (7)(C) 2018 to provide a grievance form about sexual harassment claim. This allegation is covered under the current charge against the Union, **but the time limit for a charge ended in (b) (6), (b) (7)(C)**. You will not be able to re-file this charge.

(2) (b) (6), (b) (7)(C) 2018 changes by Union and Employer to seniority list in retaliation for your having raised complaints under the contract about being denied opportunity for (b) (6), (b) (7)(C) training. **The time limit for charges against Union and Employer concerning this allegation ends (b) (6), (b) (7)(C)**

(3) (b) (6), (b) (7)(C) 2018 failure by the Union to respond to your calls, texts, etc. and failure to assist you. **The time limit for charge against Union ends (b) (6), (b) (7)(C)**

(4) (b) (6), (b) (7)(C) 2018 seniority violation by (b) (6), (b) (7)(C), letting other less senior employees go home – arguably retaliation for your complaint about (b) (6), (b) (7)(C) requiring injured employees to work. The time limit for charge against Employer ends in (b) (6), (b) (7)(C)

(5) (b) (6), (b) (7)(C) 2018 actions by (b) (6), (b) (7)(C) to sabotage your (b) (6), (b) (7)(C) training; Comment sometime in (b) (6), (b) (7)(C) 2018 by (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was waiting to file a grievance concerning another employee (b) (6), (b) (7)(C) until time limit ran out for a grievance -- Time limit for charge against Union ends sometime in (b) (6), (b) (7)(C)

(6) (b) (6), (b) (7)(C) 2018 incident when (b) (6), (b) (7)(C) called you into work then sent you home, arguably retaliation for your complaints about (b) (6), (b) (7)(C) treatment of other employees; and Union's refusal to file a grievance about this -- time limit for charges against Union and Employer ends sometime in (b) (6), (b) (7)(C). Also (b) (6), (b) (7)(C) denial of sick leave request and denial of request to go home early when less senior employees were permitted to go home early. Time limit ends in (b) (6), (b) (7)(C)

For everything which occurred in (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) the time limits are (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) respectively.

Please contact me when you have more time to pursue these charges.

Good luck and happy holidays.

Randy Girer

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**From:** Girer, Randy M  
**Sent:** Tuesday, December 11, 2018 9:18 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Teamsters, 16-CB-227747; UPS, 16-CA-230318; UPS 20-CA-231272

(b) (6), (b) (7)(C):

I can extend the deadline for your affidavit on the new charge for one more week, until Tuesday (b) (6), (b) (7)(C). This new charge covers all the events which occurred after you were removed from the (b) (6), (b) (7)(C). I am willing to work around your schedule: for example, if you are available after work, I can stay late in order to take your statement. If your schedule prevents you from completing your affidavit by (b) (6), (b) (7)(C), then you will have to withdraw the charge, and refile when you have time to give a statement.

Thank you.

Randy  
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**From:** Girer, Randy M  
**Sent:** Tuesday, December 11, 2018 9:06 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Teamsters, 16-CB-227747; UPS, 16-CA-230318; UPS 20-CA-231272

(b) (6), (b) (7)(C):

- (a) You cooperated in investigation of first two charges against Union and Employer, Cases 16-CB-227747 and 16-CA-230318. Those charges are still pending and must be decided soon, so I need additional information from you.
- (b) I am now investigating your new charge filed against UPS, Case 20-CA-231272.
- (c) As I explained previously, you have six months to file a charge starting from date of event(s) that you allege to be unlawful.
- (d) After a charge has been filed, the Charging Party's initial sworn affidavit must be provided quickly, usually within a week or two. It is usual practice to give a Charging Party a deadline to provide the initial sworn affidavit. I have been trying to schedule the affidavit for the new charge. We made progress (b) (6), (b) (7)(C). Hopefully we can complete it later today.
- (e) A new charge must be completely investigated and decided by the Regional Director quickly, usually within about 2 months.
- (f) You are the Charging Party. The Charging Party decides when to file. If a Charging Party is unable for any reason to give affidavits and present evidence (due to a busy schedule, illness, travel plans, family issues, or any other reason), then there are two options: (1) Charging Party can withdraw charge and refile when she/he has time or (2) The charge will be dismissed for non-cooperation and Charging Party can refile when she/he has time.

These requirements apply to all investigations of all charges.

Thank you.

Randy  
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From: (b) (6), (b) (7)(C)  
Sent: Tuesday, December 11, 2018 1:51 AM  
To: Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)>  
Subject: Re: UPS and IBT cases - deadline for affidavit

This email written by you appears as if I've not been cooperative, which I have been. I've obligated my phone appointments that have been scheduled, to include the one that you had missed. I've also provided proof, as requested, pertaining to my charges. I'm really feeling uncomfortable with how this email has been drafted by you as if you've gone above and beyond to help me, resulting in a lack of cooperation on my part, to be honest.

I'm working the busiest days of my life at this moment, so if I must withdraw my charge and re-file at a later date, then I will do just that, but I'm not comfortable being "rushed" by a deadline (b) (6), (b) (7)(C) during peak season at UPS. Passing my (b) (6), (b) (7)(C) is crucial, so rushing through my day to hurry home to speak with you to meet your deadline is not safe and I refuse to do that by putting my life and others on the road in jeopardy.

FYI, I did fax over the signed affidavit more than 2 weeks ago.

[Sent from Yahoo Mail for iPhone](#)

On Monday, December 10, 2018, 8:01 AM, Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)> wrote:

You have six months to file a charge.

After a charge is filed, then you have a very limited time, just 2-3 weeks, to provide your statement in support of the charge.

If you do not cooperate in the investigation by providing a statement, then the charge will be dismissed for "lack of cooperation."

After you have filed a charge, you have a responsibility to provide evidence.

If you do not provide evidence, then the charge will be dismissed for a lack of evidence and lack of cooperation.

If you're too busy to cooperate in the investigation, then you should withdraw the charge, and re-file when you have time.

You have six months to file a charge, starting from the date of the event that you're complaining about.

I have been doing my best to help you, but I do need to get information from you to move the case forward.



I can talk with you before or after work, but you will have to make time to talk with me for a couple of hours.

Randy

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, December 7, 2018 8:50 PM  
**To:** Girer, Randy M  
**Subject:** Re: UPS and IBT cases - deadline for affidavit

I thought I did sign it. You also said I had 6 months to proceed if I wanted so can you please tell me why I'm being forced to move forward with a deadline of (b) (6), (b) (7)(C) when I have at least 3 to 4 months left to decide? I'm (b) (6), (b) (7)(C) every day so it's unpredictable what time I will get off because I'm (b) (6), (b) (7)(C) during peak season.

[Sent from Yahoo Mail on Android](#)

On Fri, Dec 7, 2018 at 12:27 PM, Girer, Randy M  
<[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)> wrote:

(b) (6), (b) (7)(C)

(a) I need to take an affidavit from you on the new charge no later than (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) We will need at least 2 hours.

(b) I have not received your signed affidavit from the previous case. Did you send it to me?

Please contact me at your earliest convenience to schedule the affidavit.

Thank you.

Randy

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**From:** Girer, Randy M  
**Sent:** Monday, December 10, 2018 7:51 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: IBT (UPS) and UPS, Cases 16-CA-230318 and 16-CB-227747 -- affidavit  
**Attachments:** (b) (6), (b) (7)(C) Telephone Affidavit

You never signed your affidavit.

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**From:** Girer, Randy M  
**Sent:** Tuesday, November 06, 2018 6:19 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** IBT (UPS) and UPS, Cases 16-CA-230318 and 16-CB-227747 -- affidavit

(b) (6), (b) (7)(C)

Please see attached your telephone affidavit.

**Please print out, review and sign your affidavit. You will have to telephone me when you sign, so that I can swear you in. Please return to me by fax, mail or PDF as soon as possible.**

Please review carefully. If there are inaccuracies or omissions, you may cross-out the error and correct the affidavit. Please print any changes or corrections neatly in ink. If there are major changes, please call me to discuss them.

Please note that you are signing under penalty of perjury.

- (a) Please sign and date the affidavit.
- (b) Please initial any changes or corrections.
- (c) Please initial the bottom of each page.
- (d) Please fax, mail or email the signed, dated affidavit to me.

If you have any questions, please call. Thank you.

Randy Girer

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**From:** Girer, Randy M  
**Sent:** Thursday, November 15, 2018 7:10 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Teamsters, Local 657 and UPS, Cases 16-CB-227747 and 16-CA-230318

(b) (6), (b) (7)  
Just FYI – the settlement proposal is more like a “wish list” and I don’t know how much the Union will be able to negotiate during your meeting next week. But at least it’s a start. I spoke to the (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) emphasized that the Union will do everything it can for you within the limits of the Contract.

I will prepare a new charge form for the new charge against the Employer and send it to you.  
Thanks.  
Randy

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**From:** Girer, Randy M  
**Sent:** Thursday, November 15, 2018 2:38 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Teamsters, Local 657 and UPS, Cases 16-CB-227747 and 16-CA-230318  
**Importance:** High

(b) (6), (b) (7)  
I am sending you, below, a copy of some of the emails that I sent to the Union and to the Employer about this case. See in particular what I wrote about a settlement. This is what I wrote to them:

**(A) Grievance meeting / Settlement**

The Union and Employer are meeting on Tuesday to discuss this case. It would be a perfect opportunity for the parties to resolve this matter with a global settlement.

**As a remedy, Charging Party (b) (6), (b) (7)(C) seeks the following.**

- (1) Removal of all discipline from (b) (6), (b) (7)(C) file, including
  - a. Suspension for alleged threats to supervisor (statement that (b) (6), (b) (7)(C) would call a lawyer)
  - b. Written warning for incident with a (b) (6), (b) (7)(C) (unprovoked assault by (b) (6), (b) (7)(C))
  - c. Written warning for theft of time (b) (6), (b) (7)(C)
- (2) Reinstatement to (b) (6), (b) (7)(C) position.
- (3) Anger management training for local supervisory staff
- (4) Backpay for seniority violations:
  - a. Over the past few weeks, supervisors repeatedly passed over (b) (6), (b) (7)(C) for “(b) (6), (b) (7)(C)” positions and chose employees with less seniority. (b) (6), (b) (7)(C) complained about this to (b) (6), (b) (7)(C) and pointed out that it was a contract violation. (b) (6), (b) (7)(C) lost significant wages as a result of the seniority violations.
  - b. (b) (6), (b) (7)(C) asked employees with less seniority to work overtime prior to asking (b) (6), (b) (7)(C) to work overtime.
  - c. This week, supervisors (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) home while employees with less seniority were not sent home.

- d. Note: (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should file a grievance over these seniority violations. I do not know if grievances have yet been filed.

**(B) New charge**

There will be a new charge against the Employer. A (b) (6), (b) (7)(C) allegedly made statements that (b) (6), (b) (7)(C) would be disciplined if (b) (6), (b) (7)(C) continued to file grievances, and that the (b) (6), (b) (7)(C) did not like that (b) (6), (b) (7)(C) continues to file grievances. The charge will allege these 8a1 statements, and the additional discipline that has been issued to (b) (6), (b) (7)(C) (see below).

Presumably if the parties are meeting on Tuesday, a global settlement might be possible.

**(C) Additional discipline and retaliatory actions**

The Employer has continued to take actions against (b) (6), (b) (7)(C). In the past several weeks:

1. Alleged retaliatory discipline: On (b) (6), (b) (7)(C) was called into a meeting about two employees who did not get along. The Employer chose (b) (6), (b) (7)(C) (the (b) (6), (b) (7)(C) who assaulted (b) (6), (b) (7)(C) as the "mediator." Three (b) (6), (b) (7)(C) were present (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) objected to (b) (6), (b) (7)(C) presence at the meeting, which concerned the relationship of two other employees (not (b) (6), (b) (7)(C) and to the designation of (b) (6), (b) (7)(C) as the "mediator." (b) (6), (b) (7)(C) was hostile toward (b) (6), (b) (7)(C) during this meeting; eventually (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) to leave, take their breaks and then return to work. After the meeting, (b) (6), (b) (7)(C) reportedly told (b) (6), (b) (7)(C) that if (b) (6), (b) (7)(C) filed a grievance over what had occurred during the meeting, (b) (6), (b) (7)(C) would issue a warning for "stealing time" for taking too long of a break after the meeting. Warnings were apparently issued both to (b) (6), (b) (7)(C) and to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) made complaints to the UPS Helpline on (b) (6), (b) (7)(C) concerning this incident.
2. Retaliatory incident -sent home from work: On (b) (6), (b) (7)(C), at the very start of (b) (6), (b) (7)(C) shift. (b) (6), (b) (7)(C) filed grievances concerning the incidents on (b) (6), (b) (7)(C). A few hours later, (b) (6), (b) (7)(C) sent employee (b) (6), (b) (7)(C) to work with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was afraid of another assault by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) at a nearby workstation. Both the (b) (6), (b) (7)(C) and Charging Party (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) why (b) (6), (b) (7)(C) would send (b) (6), (b) (7)(C) to work with (b) (6), (b) (7)(C) given (b) (6), (b) (7)(C) prior aggression. (b) (6), (b) (7)(C) reportedly stated that (b) (6), (b) (7)(C) was tired of (b) (6), (b) (7)(C) calling the UPS Helpline and filing grievances. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was sending (b) (6), (b) (7)(C) home for leaving (b) (6), (b) (7)(C) workstation (when (b) (6), (b) (7)(C) went to talk to the (b) (6), (b) (7)(C)). (b) (6), (b) (7)(C) directed the (b) (6), (b) (7)(C) to escort (b) (6), (b) (7)(C) from the building. (b) (6), (b) (7)(C) also told (b) (6), (b) (7)(C) to go home. Later that day, HR contacted the Union to say that (b) (6), (b) (7)(C) would be paid the minimum contractual hours for the day.

As noted, the parties on meeting on Tuesday, so perhaps it will be possible for the parties to work together to resolve this dispute. Thank you.

OK (b) (6), (b) (7)(C) – that is what I wrote to the Union and to the Employer. So let's see what happens. Now is the chance for you to maybe make some progress to resolve some of these issues. Keep me posted.

Randy

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**From:** Girer, Randy M  
**Sent:** Thursday, December 13, 2018 2:21 PM  
**To:** Dennis McClelland (7865); Laura Bradarich Williams (4328)  
**Subject:** UPS, Cases 16-CA-230318, 20-CA-231384, 20-CA-231272 WITHDRAWN

Mr. McClelland and Ms. Williams:

Thank you for the position paper. I have not yet had a chance to review it.

However, I wanted to let you know immediately that (b) (6), (b) (7)(C) informed me yesterday evening that (b) (6), (b) (7)(C) is withdrawing all charges against UPS.

(b) (6), (b) (7)(C) does not have time right now (with (b) (6), (b) (7)(C) schedule) to participate in the investigation of these cases. (b) (6), (b) (7)(C) wants to give (b) (6), (b) (7)(C) full attention, and so (b) (6), (b) (7)(C) has not been able to provide evidence.

As a result, (b) (6), (b) (7)(C) is withdrawing all charges against UPS.

(b) (6), (b) (7)(C) intends to re-file later when (b) (6), (b) (7)(C) has more time. (b) (6), (b) (7)(C) is aware of the six month time limit for filing charges.

I apologize that I could not give you earlier notice.

The position statement will be in our files, so that if (b) (6), (b) (7)(C) re-files (b) (6), (b) (7)(C) charge(s) against the Employer, UPS will be able to reference that position statement.

Also, (b) (6), (b) (7)(C) is not withdrawing (b) (6), (b) (7)(C) charge against the Union, and your position statement will be helpful for our investigation of that pending charge 16-CB-227747.

I am processing the Charging Party's withdrawal of these charges, and the Regional Director's letter approving the withdrawal will likely issue early next week.

Thank you kindly for your continued cooperation in this matter, and for your efforts to resolve (b) (6), (b) (7)(C) pending grievances.

Randy Girer

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**From:** Girer, Randy M  
**Sent:** Friday, December 7, 2018 1:24 PM  
**To:** 'Dennis McClelland (7865)'  
**Subject:** RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Mr. McClelland:

Thank you for your quick response, very helpful.

- (a) I will send an email next week providing more detail and formally requesting response on the new charge. However in the position paper due on Dec. 12, please explain or attach the relevant seniority rules so I have more understanding of your comments. As noted, there is no finding of a violation on the pending charge. However CP has stated a prima facie case of a violation of Section 8(a)(1) and (3) of the Act. So for the sake of any settlement, the Employer's close consideration of (b) (6), (b) (7)(C) BP claims would be appropriate.
- (b) Based on the investigation, (b) (6), (b) (7)(C) has raised concerns of ongoing issues in this work location with the supervisory staff particularly as they relate to (b) (6), (b) (7)(C) including (b) (6), (b) (7)(C) claims of discrimination, retaliatory actions, abusive language and physical assault among coworkers and by supervisors, anger management issues, and the Employer's ongoing failure to investigate or address these matters. Perhaps as Counsel this is an area you could address with your client. Obviously, these alleged patterns are also relevant to this ULP investigation but the ULP charge process will not resolve ongoing issues or a culture of bullying.

My aim here is to enforce the goal of the Act to bring about "industrial peace," and to the extent the parties are able to resolve this matter to the satisfaction of all parties including (b) (6), (b) (7)(C), that would be the preferred outcome. I will await the Employer's response due Dec. 12, and as noted, I will be getting you additional information on the new charge next week.

Thank you for your continued cooperation in this matter.

Have a great weekend.

Randy

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Field Attorney  
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**From:** Dennis McClelland (7865) [mailto:Dennis.McClelland@phelps.com]  
**Sent:** Friday, December 07, 2018 7:10 AM  
**To:** Girer, Randy M <Randy.Girer@nlrb.gov>  
**Cc:** Laura Bradarich Williams (4328) <Laura.Bradarich@phelps.com>; Bonnie Solomon (7873) <Bonnie.Solomon@phelps.com>  
**Subject:** RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Thanks for the clarification, Ms. Girer. We will respond to each charge in order. It seems that one of the main issues here is that (b) (6), (b) (7)(C) has an interpretation of seniority that differs from that of the Company and the Union. So, as I understand it, the Company and the Union explained to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) did not have a back pay claim because (b) (6), (b) (7)(C) did not have the seniority rights (b) (6), (b) (7)(C) claims (apparently (b) (6), (b) (7)(C) is confusing the "company seniority" date for benefits, vacation, etc. versus "building seniority," which controls seniority for bidding of work within the building. We do not consider it to be duress where the Company and the Union explain CBA terms to an employee (that is what they are supposed to do). And, as you know, the Union's duty to (b) (6), (b) (7)(C) does not require it to pursue frivolous claims (claims that adversely impact valid seniority rights of other union members). Also, it is my understanding that (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) was correctly told (b) (6), (b) (7)(C) could not use a lawyer in the grievance process (which is true, as neither side uses lawyers unless and until it deadlocks to arbitration). No one, to our knowledge, suggested that (b) (6), (b) (7)(C) could not have or use a lawyer for claims brought outside the CBA grievance process.

We will closely examine the issues raised below (and confirm our understanding of the situation), and respond in our position statements for the respective charges.

From: Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)>

Sent: Thursday, December 6, 2018 9:12 PM

To: Dennis McClelland (7865) <[Dennis.McClelland@phelps.com](mailto:Dennis.McClelland@phelps.com)>

Cc: Laura Bradarich Williams (4328) <[Laura.Bradarich@phelps.com](mailto:Laura.Bradarich@phelps.com)>; Bonnie Solomon (7873)

<[Bonnie.Solomon@phelps.com](mailto:Bonnie.Solomon@phelps.com)>

Subject: RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Mr. McClelland:

- (1) I know that (b) (6), (b) (7)(C) was re-admitted to the (b) (6), (b) (7)(C) program. That is excellent news. Thank you for moving that forward.
- (2) Please provide a copy of any written settlement, and list of pending and settled grievances.
- (3) Were all disciplinary actions removed from (b) (6), (b) (7)(C) file as part of settlement? Can you advise on status of disciplinary actions in (b) (6), (b) (7)(C) file.
- (4) I am attaching all open charges. I apologize; the Region 16 charge was double-docketed as a Region 20 charge (20-CA-231384) so there is duplication.
- (5) Charge 20-CA-231272 raises new issues which you and I had briefly discussed a couple of weeks ago—(a) that (b) (6), (b) (7)(C) allegedly made certain unlawful comments about (b) (6), (b) (7)(C) union and protected activities and (b) that (b) (6), (b) (7)(C) was denied work opportunities and (b) (6), (b) (7)(C) seniority was violated when (b) (6), (b) (7)(C) was sent home early (while lower seniority employees remained working) and when (b) (6), (b) (7)(C) was not given the opportunity to work as (b) (6), (b) (7)(C) while less senior employees did that work.
- (6) I am still collecting the information about the newest charge, but (b) (6), (b) (7)(C) remaining complaint is (b) (6), (b) (7)(C) claim for backpay: (a) Backpay for the periods when (b) (6), (b) (7)(C) was delayed in entering the (b) (6), (b) (7)(C) program and later removed from the (b) (6), (b) (7)(C) program; (b) Backpay for the period when less senior employees were given opportunities to work as (b) (6), (b) (7)(C) or to work extra hours, and (b) (6), (b) (7)(C) was not given these opportunities, so (b) (6), (b) (7)(C) lost wages.
- (7) My understanding is that the Employer and Union jointly told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) could not pursue grievances related to these backpay claims, and (b) (6), (b) (7)(C) accordingly withdrew the grievances under duress. (b) (6), (b) (7)(C) claims that (b) (6), (b) (7)(C) was forced to withdraw those grievances. In these circumstances, we might not defer to a grievance settlement.
- (8) (b) (6), (b) (7)(C) also wanted the possibility to pursue certain claims with (b) (6), (b) (7)(C) own attorney, and reportedly was told that (b) (6), (b) (7)(C) could not do so. However (b) (6), (b) (7)(C) is not agreeing to waive statutory claims (such as (b) (6), (b) (7)(C) sexual harassment claim).

Please note that there has been no Regional determination on any of the issues in this case. I am still trying to facilitate a settlement of the matter.

I am still investigating, and I have not made any recommendations. But I wanted to alert you to the possibility that deferral may not be appropriate in a situation where the Charging Party claims that the Union has acted contrary to (b) (6), (b) (7)(C) interests or where there is a claim of duress.

To summarize:

As I understand it, remaining issues include (a) backpay claims; (b) removal of discipline from file; (c) (b) (6), (b) (7)(C) pending sexual harassment case (being handled by private counsel).

*Randy M. Girer  
Field Attorney  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103*

Direct Line (628) 221-8845  
Cellphone (202) 255-4281  
Fax: (415)-356-5156

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**From:** Dennis McClelland (7865) [<mailto:Dennis.McClelland@phelps.com>]  
**Sent:** Tuesday, December 04, 2018 5:56 PM  
**To:** Girer, Randy M <[Randy.Girer@nrlb.gov](mailto:Randy.Girer@nrlb.gov)>  
**Cc:** Laura Bradarich Williams (4328) <[Laura.Bradarich@phelps.com](mailto:Laura.Bradarich@phelps.com)>; Bonnie Solomon (7873) <[Bonnie.Solomon@phelps.com](mailto:Bonnie.Solomon@phelps.com)>  
**Subject:** RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Ms. Girer:

We are confused by your email. The Company and the Union held a local hearing on grievances that mirrored the referenced ULP charge. The parties also considered the ULP charge in the grievance hearing. The parties settled numerous grievances and nine of the 14 allegations in the ULP charge. (b) (6), (b) (7)(C) signed off on the settlement of the grievances and ULP allegations. As part of the settlement, UPS agreed to provide (b) (6), (b) (7)(C) an additional qualifying period with respect to the (b) (6), (b) (7)(C) program. So, (b) (6), (b) (7)(C) was not "directed" to "drop" grievances. The parties settled the grievances.

Five of the allegations in the referenced ULP charge remain open, and we intended to address those remaining allegations in our position statement. Also, before the local hearing, (b) (6), (b) (7)(C) filed a second charge in Region 20 (20-CA-231384) that contained charge allegations that appear to be duplicative of Case 16-CA-230318. UPS received the new charge after the local hearing, however. Many of the allegations in the new charge were settled as well. Please provide some clarity at this point as to the differences in the two charges and which allegations remain at issue as to each charge so we can focus the responses accordingly.

As we will detail in UPS's responses, UPS disputes the allegations in the charges and denies that it retaliated against (b) (6), (b) (7)(C) (and deferral to the grievance process is appropriate in any event). We trust that you will consider UPS's responses before drawing ultimate conclusions as to the merits of this matter.

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**From:** Girer, Randy M <[Randy.Girer@nrlb.gov](mailto:Randy.Girer@nrlb.gov)>  
**Sent:** Tuesday, December 4, 2018 7:57 PM  
**To:** Dennis McClelland (7865) <[Dennis.McClelland@phelps.com](mailto:Dennis.McClelland@phelps.com)>  
**Cc:** Laura Bradarich Williams (4328) <[Laura.Bradarich@phelps.com](mailto:Laura.Bradarich@phelps.com)>; Bonnie Solomon (7873) <[Bonnie.Solomon@phelps.com](mailto:Bonnie.Solomon@phelps.com)>  
**Subject:** UPS, Case 16-CA-230318 - Prima Facie Case stated

Mr. McClelland:

I understand that the Union and Employer held a meeting wherein it was agreed to put (b) (6), (b) (7)(C) back into the (b) (6), (b) (7)(C) program.

(b) (6), (b) (7)(C) advised me during the meeting, (b) (6), (b) (7)(C) was directed to drop grievances for backpay related to the seniority violations and the Employer's failure to place (b) (6), (b) (7)(C) in the (b) (6), (b) (7)(C) program.

I am aware that the deadline for Employer response was extended. Based on the evidence adduced to date in the investigation, there is a colorable claim that the Employer retaliated against (b) (6), (b) (7)(C) because of (b) (6), (b) (7)(C) Union and protected activities, including seniority violations and failure to place (b) (6), (b) (7)(C) in the (b) (6), (b) (7)(C) program.

Please note that, ultimately, if the Regional Director finds merit to these claims, we would seek full backpay for the seniority violations and the failure to place (b) (6), (b) (7)(C) in a (b) (6), (b) (7)(C) program, notwithstanding the fact that the grievances were dropped.

Thank you.  
Randy Girer

Randy M. Girer

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**From:** Girer, Randy M  
**Sent:** Monday, November 19, 2018 4:47 PM  
**To:** 'Dennis McClelland (7865)'  
**Subject:** RE: UPS, Case 16-CA-230318 - EOT granted to December 12

Mr. McClelland:  
EOT to December 12 for Employer response is granted.  
I hope the parties may be able to resolve some or all of the allegations.  
Thank you.  
Randy

*Randy M. Girer  
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901 Market Street, Suite 400  
San Francisco, CA 94103  
Direct Line (628) 221-8845  
Cellphone (202) 255-4281  
Fax: (415)-356-5156*

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**From:** Dennis McClelland (7865) [mailto:Dennis.McClelland@phelps.com]  
**Sent:** Monday, November 19, 2018 1:41 PM  
**To:** Girer, Randy M <Randy.Girer@nlrb.gov>  
**Cc:** Laura Bradarich Williams (4328) <Laura.Bradarich@phelps.com>; Bonnie Solomon (7873) <Bonnie.Solomon@phelps.com>  
**Subject:** RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Ms. Girer:  
Per our discussion today, UPS is rescheduling the local hearing on (b) (6), (b) (7)(C) grievances to occur next week. In light of this and the number of issues that needs to be addressed in the response to the charge, we respectfully request a two-week extension of time to submit the position statement (up to and including **Wednesday, December 12, 2018**). We hope that the matter may be resolved, or at least the issues narrowed, as a result of the local hearing. Please advise if a two-week extension is acceptable. Thank you in advance for any professional courtesy you can provide.

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**From:** Girer, Randy M <Randy.Girer@nlrb.gov>  
**Sent:** Friday, November 16, 2018 2:21 PM  
**To:** Dennis McClelland (7865) <Dennis.McClelland@phelps.com>  
**Subject:** RE: UPS, Case 16-CA-230318 - Prima Facie Case stated

Mr. McClelland:  
Just to clarify, at this point, Charging Party (b) (6), (b) (7)(C) has stated a *prima facie* case that UPS may have retaliated against (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) sought assistance from the Union, filed grievances, raised concerns under the CBA, and engaged in protected concerted activities, by harassing (b) (6), (b) (7)(C) issuing (b) (6), (b) (7)(C) discipline, denying (b) (6), (b) (7)(C) work opportunities, violating (b) (6), (b) (7)(C) seniority, removing (b) (6), (b) (7)(C) from the (b) (6), (b) (7)(C) program and by disparate treatment. Obviously I have not seen the Employer's response, and there has been no determination on the merits on any portion of this case, but I wanted to advise you of my preliminary assessment of the evidence presented to date. I am hopeful that the parties may be able to work something out on Tuesday.



If no settlement is reached, then the Employer's response will be requested no later than November 28, as stated in my email below.

Thank you and have a great weekend.

Randy

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**From:** Girer, Randy M  
**Sent:** Thursday, November 15, 2018 2:28 PM  
**To:** 'Dennis McClelland (7865)' <[Dennis.McClelland@phelps.com](mailto:Dennis.McClelland@phelps.com)>  
**Subject:** RE: UPS, Case 16-CA-230318 - - Additional information

Dennis:

Thank you.

I have also advised the Union of the matters stated in my email below.

I am hopeful that perhaps the parties can work something out, at this early stage in the case.

Randy

*Randy M. Girer  
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**From:** Dennis McClelland (7865) [<mailto:Dennis.McClelland@phelps.com>]  
**Sent:** Thursday, November 15, 2018 2:26 PM  
**To:** Girer, Randy M <[Randy.Girer@nrlb.gov](mailto:Randy.Girer@nrlb.gov)>  
**Subject:** RE: UPS, Case 16-CA-230318 - - Additional information

Randy:

Thank you for bringing this to my attention. One of my colleagues is assisting me with the investigation so I will check in with (b) (6), (c) on the status and see if we can get the issues in the charge on the table.

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**From:** Girer, Randy M <[Randy.Girer@nrlb.gov](mailto:Randy.Girer@nrlb.gov)>  
**Sent:** Thursday, November 15, 2018 5:15 PM  
**To:** Dennis McClelland (7865) <[Dennis.McClelland@phelps.com](mailto:Dennis.McClelland@phelps.com)>  
**Subject:** RE: UPS, Case 16-CA-230318 - - Additional information  
**Importance:** High

Dennis:

Monday would be fine. You should be aware of some new developments.

Grievance meeting / Settlement

The Union and Employer are meeting on Tuesday to discuss this case. It would be a perfect opportunity for the parties to resolve this matter with a global settlement.

As a remedy, Charging Party (b) (6), (b) (7)(C) seeks the following:

- (1) Removal of all discipline from (b) (6), (b) (7)(C) file, including
  - a. Suspension for alleged threats to supervisor (statement that (b) (6), (b) (7)(C) would call a lawyer)
  - b. Written warning for incident with a (b) (6), (b) (7)(C) (unprovoked assault by (b) (6), (b) (7)(C))
  - c. Written warning for theft of time (b) (6), (b) (7)(C)
- (2) Reinstatement to (b) (6), (b) (7)(C) position.
- (3) Anger management training for local supervisory staff
- (4) Backpay for seniority violations:
  - a. Over the past few weeks, supervisors repeatedly passed over (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) positions and chose employees with less seniority. (b) (6), (b) (7)(C) complained about this to (b) (6), (b) (7)(C) and pointed out that it was a contract violation. (b) (6), (b) (7)(C) lost significant wages as a result of the seniority violations.
  - b. (b) (6), (b) (7)(C) asked employees with less seniority to work overtime prior to asking (b) (6), (b) (7)(C) to work overtime.
  - c. This week, (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) home while employees with less seniority were not sent home.
  - d. Note: (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should file a grievance over these seniority violations. I do not know if grievances have yet been filed.

#### New charge

Just a heads up that there will be a new charge. A (b) (6), (b) (7)(C) made statements that the Charging Party would be disciplined if (b) (6), (b) (7)(C) continued to file grievances, and that the supervisor did not like that (b) (6), (b) (7)(C) continues to file grievances. The charge will allege these 8a1 statements, and the additional discipline that has been issued to (b) (6), (b) (7)(C) (see below).

Presumably if the parties are meeting on Tuesday, a global settlement might be possible.

#### Notice re possible issue and liability

I feel ethically constrained to advise you that the Employer may have liability under anti discrimination laws. I am no expert but the facts of this case (See my prior email below) may state a colorable claim of sexual harassment and denial of work opportunities to become a (b) (6), (b) (7)(C) because of retaliation for raising that claim. (b) (6), (b) (7)(C) has filed with the (b) (6), (b) (7)(C) I believe (b) (6), (b) (7)(C) may have also retained an attorney.

#### Additional discipline and retaliatory actions

The Employer has continued to take actions against (b) (6), (b) (7)(C). In the past several weeks:

1. Alleged retaliatory discipline: On (b) (6), (b) (7)(C) was called into a meeting about two employees who did not get along. The Employer chose (b) (6), (b) (7)(C) (the (b) (6), (b) (7)(C) who assaulted (b) (6), (b) (7)(C) as the "mediator." (b) (6), (b) (7)(C) supervisors were present (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) objected to (b) (6), (b) (7)(C) presence at the meeting, which concerned the relationship of (b) (6), (b) (7)(C) other employees (not (b) (6), (b) (7)(C) and to the designation of (b) (6), (b) (7)(C) as the "mediator." (b) (6), (b) (7)(C) was hostile toward (b) (6), (b) (7)(C) during this meeting; eventually (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to leave, take their breaks and then return to work. After the meeting, (b) (6), (b) (7)(C) reportedly told (b) (6), (b) (7)(C) that if (b) (6), (b) (7)(C) filed a grievance over what had occurred during the meeting, (b) (6), (b) (7)(C) would issue a warning for "stealing time" for taking too long of a break after the meeting. Warnings were apparently issued both to (b) (6), (b) (7)(C) and to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) made complaints to the UPS Helpline on (b) (6), (b) (7)(C) concerning this incident.
2. Retaliatory incident -sent home from work: On (b) (6), (b) (7)(C) at the very start of (b) (6), (b) (7)(C) shift. (b) (6), (b) (7)(C) filed grievances concerning the incidents on (b) (6), (b) (7)(C). A few hours later, (b) (6), (b) (7)(C) sent employee (b) (6), (b) (7)(C) to work with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was afraid of another assault by (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) at a nearby workstation. Both the (b) (6), (b) (7)(C) and Charging Party (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) why (b) (6), (b) (7)(C) would send (b) (6), (b) (7)(C) to work with (b) (6), (b) (7)(C) given (b) (6), (b) (7)(C) prior aggression. (b) (6), (b) (7)(C) reportedly stated that (b) (6), (b) (7)(C) was tired of (b) (6), (b) (7)(C) calling the UPS Helpline and filing grievances. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was sending (b) (6), (b) (7)(C) home for leaving (b) (6), (b) (7)(C) workstation (when (b) (6), (b) (7)(C) went to talk to the (b) (6), (b) (7)(C)). (b) (6), (b) (7)(C) directed (b) (6), (b) (7)(C) to escort (b) (6), (b) (7)(C) from the building. (b) (6), (b) (7)(C) also told

(b) (6), (b) (7)(C) to go home. Later that day, HR contacted the Union to say that (b) (6), (b) (7)(C) would be paid the minimum contractual hours for the day.

As noted, the parties on meeting on Tuesday, so perhaps it will be possible for the parties to work together to resolve this dispute.

Thank you.

Randy Girer (Ms.)

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San Francisco, CA 94103  
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Cellphone (202) 255-4281  
Fax: (415)-356-5156*

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**From:** Dennis McClelland (7865) [<mailto:Dennis.McClelland@phelps.com>]  
**Sent:** Thursday, November 15, 2018 1:21 PM  
**To:** Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)>  
**Subject:** RE: UPS, Case 16-CA-230318 --Response requested Wednesday, November 28

Mr. Girer: I am going to be out of the office in a meeting all day tomorrow. Would Monday work for you? If so, let me know some times you have available.

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**From:** Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)>  
**Sent:** Wednesday, November 14, 2018 6:34 PM  
**To:** Dennis McClelland (7865) <[Dennis.McClelland@phelps.com](mailto:Dennis.McClelland@phelps.com)>  
**Subject:** FW: UPS, Case 16-CA-230318 --Response requested Wednesday, November 28

Mr. McClelland:  
Please call to discuss at your earliest convenience.  
Thank you.  
Randy Girer

*Randy M. Girer  
Field Attorney  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103  
Direct Line (628) 221-8845  
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Fax: (415)-356-5156*

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**From:** (b) (6), (b) (7)(C)@ups.com [[mailto:\(b\) \(6\), \(b\) \(7\)\(C\)@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)]  
**Sent:** Wednesday, November 14, 2018 10:17 AM  
**To:** Girer, Randy M <[Randy.Girer@nlrb.gov](mailto:Randy.Girer@nlrb.gov)>  
**Subject:** RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

Good Afternoon Randy:

Phelps Dunbar is representing us in this case. Dennis McClelland or someone from his team will be contacting you shortly.

Regards,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) • UPS Legal Department B3/F4  
55 Glenlake Parkway, NE • Atlanta, GA 30328  
P: (b) (6), (b) (7)(C) • F: 404.828.6912

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From: Girer, Randy M [<mailto:Randy.Girer@nrlb.gov>]

Sent: Tuesday, November 13, 2018 7:09 PM

To: (b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)>

Subject: [EXTERNAL] RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

(b) (6), (b) (7)(C):

Please call me to discuss this case at your earliest convenience.

Thank you.

Randy Girer

*Randy M. Girer  
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Cellphone (202) 255-4281  
Fax: (415)-356-5156*

From: Girer, Randy M

Sent: Wednesday, November 07, 2018 3:54 PM

To: (b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)> <(b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)>

Subject: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

(b) (6), (b) (7)(C):

See attached charge. I am requesting Employer response no later than Wednesday, November 28.

Allegations:

Charging Party (b) (6), (b) (7)(C) alleges that the Employer retaliated against (b) (6), (b) (7)(C) for protected concerted and Union activity.

(b) (6), (b) (7)(C) has been employed by UPS as a (b) (6), (b) (7)(C) since (b) (6), (b) (7)(C). (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

- (b) (6), (b) (7)(C) worked (b) (6), (b) (7)(C) seasons as (b) (6), (b) (7)(C) while employed at (b) (6), (b) (7)(C). When (b) (6), (b) (7)(C) returned to (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was interested in (b) (6), (b) (7)(C). They told (b) (6), (b) (7)(C) that this was not a certified facility and that (b) (6), (b) (7)(C) would be able to retain (b) (6), (b) (7)(C) seniority. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was Number (b) (6), (b) (7)(C) on the seniority list.
- In (b) (6), (b) (7)(C) filed a complaint about sexual harassment by (b) (6), (b) (7)(C). During the investigation, (b) (6), (b) (7)(C) said to (b) (6), (b) (7)(C) that if (b) (6), (b) (7)(C) would apologize, this would all "go away," stating: You do what to (b) (6), (b) (7)(C) don't you? (b) (6), (b) (7)(C) filed a complaint with UPS hotline about (b) (6), (b) (7)(C) and about (b) (6), (b) (7)(C) statement. (b) (6), (b) (7)(C) also went to the Union for assistance and filed a complaint with (b) (6), (b) (7)(C).
- (b) (6), (b) (7)(C) sought multiple times to assert (b) (6), (b) (7)(C) rights under CBA to enter into (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) delayed in permitting (b) (6), (b) (7)(C) to enter into (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) retaliated against (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) complaint to UPS hotline as well as for (b) (6), (b) (7)(C) assertion of rights under the CBA.
- In (b) (6), (b) (7)(C) filed concerted complaints with UPS hotline about an offensive flag posted by (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) policy of limiting availability of water for workers, and about (b) (6), (b) (7)(C)



requiring other employees to work while injured. These were not anonymous complaints. (b) (6), (b) (7)(C) also asserted rights under the CBA, telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) would file a grievance over failure to provide scheduled breaks.

- About a week later, (b) (6), (b) (7)(C) refused (b) (6), (b) (7)(C) request to go home early, while permitting less senior employees to leave early. Around (b) (6), (b) (7)(C) was late to work (for the first time). (b) (6), (b) (7)(C) called (b) (6), (b) (7)(C) in to work, then sent (b) (6), (b) (7)(C) home. (b) (6), (b) (7)(C) was not paid for that day. Other employees who are late are routinely permitted to work their regular work assignments without being sent home. Also in (b) (6), (b) (7)(C) denied (b) (6), (b) (7)(C) request to go home early, while permitting new hires and employees with less seniority to go home early. (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) retaliated because of (b) (6), (b) (7)(C) protected complaint on the Hotline.
- On (b) (6), (b) (7)(C) in the presence of a (b) (6), (b) (7)(C) employee (b) (6), (b) (7)(C) used profanity at (b) (6), (b) (7)(C) and physically assaulted (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was not the aggressor. The Employer took statements from witnesses. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) admitted that (b) (6), (b) (7)(C) was the aggressor and that (b) (6), (b) (7)(C) had not touched (b) (6), (b) (7)(C) or used profanity. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) would recommend termination for employee (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) pressured employees to change their statements about the incident. By email on (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) of the witness tampering but (b) (6), (b) (7)(C) took no action. The Employer issued a written warning to (b) (6), (b) (7)(C) (on (b) (6), (b) (7)(C) for the incident with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) filed grievances.
- (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) has engaged in retaliation because of (b) (6), (b) (7)(C) protected concerted activities. (b) (6), (b) (7)(C) assigned (b) (6), (b) (7)(C) to train (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) complained to HR that (b) (6), (b) (7)(C) was training (b) (6), (b) (7)(C) improperly including (b) (6), (b) (7)(C) not permitting (b) (6), (b) (7)(C), providing misinformation, etc. (b) (6), (b) (7)(C) complained about this to (b) (6), (b) (7)(C).
- (b) (6), (b) (7)(C) training was repeatedly delayed. (b) (6), (b) (7)(C) alleges that the (b) (6), (b) (7)(C) set (b) (6), (b) (7)(C) up to fail by assigning (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) observation and - during (b) (6), (b) (7)(C) training period - by assigning (b) (6), (b) (7)(C) particularly difficult (b) (6), (b) (7)(C) tolerating poorly loaded and mislabeled packages, assigning (b) (6), (b) (7)(C) out-of-location trainers who were unfamiliar with the (b) (6), (b) (7)(C) and refusing to permit (b) (6), (b) (7)(C) to come in early to get (b) (6), (b) (7)(C) work done, when other employees were permitted to come in early. Other employees repeatedly told (b) (6), (b) (7)(C) that there was a target on (b) (6), (b) (7)(C) back and (b) (6), (b) (7)(C) was being singled out with especially difficult (b) (6), (b) (7)(C) and poorly loaded trucks.
- Around (b) (6), (b) (7)(C) accompanied by a (b) (6), (b) (7)(C) complaint to (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) treatment during (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would contact an attorney about (b) (6), (b) (7)(C) complaints. On (b) (6), (b) (7)(C) was notified that (b) (6), (b) (7)(C) would be suspended because (b) (6), (b) (7)(C) had "threatened" supervisors by mentioning an attorney. (b) (6), (b) (7)(C) alleges that the suspension is retaliation for protected activity of raising complaints to the supervisor while accompanied by Union representative.
- Around (b) (6), (b) (7)(C) made additional complaints to the Hotline about (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) then assigned (b) (6), (b) (7)(C) a new (b) (6), (b) (7)(C) for peak, when the other (b) (6), (b) (7)(C) were not assigned new (b) (6), (b) (7)(C) for peak.
- On (b) (6), (b) (7)(C) was disqualified from (b) (6), (b) (7)(C) without being allowed to complete (b) (6), (b) (7)(C).



**Board Affidavits:**

I request to take affidavits from any individuals with information relevant to this investigation.

Please be advised that the failure to present representatives who would appear to have information relevant to the investigation, for the purposes of my taking sworn statements, constitutes less than complete cooperation in the investigation of the charge.

**Documents:**

Please provide the following:

- (a) Employee file for (b) (6), (b) (7)(C)
- (b) Copies of all Hotline complaints filed by (b) (6), (b) (7)(C)
- (c) Explanation for why (b) (6), (b) (7)(C) was not permitted to start (b) (6), (b) (7)(C) training until (b) (6), (b) (7)(C)
- (d) Explanation for why (b) (6), (b) (7)(C) was not permitted to complete (b) (6), (b) (7)(C) training.

**Date for Submitting Evidence:**

To resolve this matter as expeditiously as possible, you must provide your evidence and position paper by **Wednesday, November 28**. If you are willing to allow me to take affidavits, please contact me to schedule them. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to [www.nlrb.gov](http://www.nlrb.gov), select E-File Documents, enter the NLRB case number, and follow the detailed instructions. If I have not received all your evidence by the due date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Please contact me if you have any questions.

Thank you.

Randy Girer

*Randy M. Girer  
Field Attorney  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103  
Direct Line (628) 221-8845  
Cellphone (202) 255-4281  
Fax: (415)-356-5156*

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**From:** (b) (6), (b) (7)(C)@ups.com  
**Sent:** Thursday, November 15, 2018 8:06 AM  
**To:** Girer, Randy M  
**Subject:** RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

Good Morning Randy: My pleasure. Let me know if you do not hear from them by end of day today.

Regards,

(b) (6), (b) (7)(C)

---

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) • UPS Legal Department B3/F4  
55 Glenlake Parkway, NE • Atlanta, GA 30328  
P: (b) (6), (b) (7)(C) • F: 404.828.6912

*Confidentiality Note: This e-mail, and any attachment to it, contains privileged and confidential information intended only for the use of the individual(s) or entity named on the e-mail. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that reading it is strictly prohibited. If you have received this e-mail in error, please immediately return it to the sender and delete it from your system. Thank you.*

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**From:** Girer, Randy M [mailto:Randy.Girer@nrlb.gov]  
**Sent:** Wednesday, November 14, 2018 6:30 PM  
**To:** (b) (6), (b) (7)(C)@ups.com>  
**Subject:** [EXTERNAL] RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

Thank you.

*Randy M. Girer  
Field Attorney  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103  
Direct Line (628) 221-8845  
Cellphone (202) 255-4281  
Fax: (415)-356-5156*

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**From:** (b) (6), (b) (7)(C)@ups.com [mailto:(b) (6), (b) (7)(C)@ups.com]  
**Sent:** Wednesday, November 14, 2018 10:17 AM  
**To:** Girer, Randy M <Randy.Girer@nrlb.gov>  
**Subject:** RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

Good Afternoon Randy:

Phelps Dunbar is representing us in this case. Dennis McClelland or someone from his team will be contacting you shortly.

Regards,

(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) • UPS Legal Department B3/F4  
55 Glenlake Parkway, NE • Atlanta, GA 30328

Confidentiality Note: This e-mail, and any attachment to it, contains privileged and confidential information intended only for the use of the individual(s) or entity named on the e-mail. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that reading it is strictly prohibited. If you have received this e-mail in error, please immediately return it to the sender and delete it from your system. Thank you.

From: Girer, Randy M [<mailto:Randy.Girer@nlrb.gov>]

Sent: Tuesday, November 13, 2018 7:09 PM

To: (b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)>

Subject: [EXTERNAL] RE: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

(b) (6), (b) (7)(C):

Please call me to discuss this case at your earliest convenience.

Thank you.

Randy Girer

*Randy M. Girer*

*Field Attorney*

*National Labor Relations Board, Region 20*

*901 Market Street, Suite 400*

*San Francisco, CA 94103*

*Direct Line (628) 221-8845*

*Cellphone (202) 255-4281*

*Fax: (415)-356-5156*

From: Girer, Randy M

Sent: Wednesday, November 07, 2018 3:54 PM

To: (b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)> <(b) (6), (b) (7)(C) <[@ups.com](mailto:(b) (6), (b) (7)(C)@ups.com)>

Subject: UPS, Case 16-CA-230318 --, Response requested Wednesday, November 28

(b) (6), (b) (7)(C):

See attached charge. I am requesting Employer response no later than Wednesday, November 28.

**Allegations:**

Charging Party (b) (6), (b) (7)(C) alleges that the Employer retaliated against (b) (6), (b) (7)(C) for protected concerted and Union activity.

(b) (6), (b) (7)(C) has been employed by UPS as (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

- (b) (6), (b) (7)(C) worked (b) (6), (b) (7)(C) seasons as (b) (6), (b) (7)(C) while employed at (b) (6), (b) (7)(C). When (b) (6), (b) (7)(C) returned to (b) (6), (b) (7)(C) she notified (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was interested in (b) (6), (b) (7)(C). They told (b) (6), (b) (7)(C) that this was not a certified facility and that (b) (6), (b) (7)(C) would be able to retain (b) (6), (b) (7)(C) seniority. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was Number (b) (6), (b) (7)(C) on the seniority list.
- In (b) (6), (b) (7)(C) filed a complaint about sexual harassment by (b) (6), (b) (7)(C). During the investigation, (b) (6), (b) (7)(C) said to (b) (6), (b) (7)(C) that if (b) (6), (b) (7)(C) would apologize, this would all "go away," stating: You do what to (b) (6), (b) (7)(C) don't you? (b) (6), (b) (7)(C) filed a complaint with UPS hotline about (b) (6), (b) (7)(C) and about (b) (6), (b) (7)(C) statement.
- (b) (6), (b) (7)(C) also went to the Union for assistance and filed a complaint with (b) (6), (b) (7)(C).
- (b) (6), (b) (7)(C) sought multiple times to assert (b) (6), (b) (7)(C) rights under CBA to enter into (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) delayed in permitting (b) (6), (b) (7)(C) to enter into (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) retaliated against (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) complaint to UPS hotline as well as for (b) (6), (b) (7)(C) assertion of rights under the CBA.
- In (b) (6), (b) (7)(C) filed concerted complaints with UPS hotline about an offensive flag posted by (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) policy of limiting availability of water for workers, and about (b) (6), (b) (7)(C) requiring other employees to work while injured. These were not anonymous complaints. (b) (6), (b) (7)(C) also asserted rights under the CBA, telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) would file a grievance over failure to provide scheduled breaks.
- About a week later, (b) (6), (b) (7)(C) refused (b) (6), (b) (7)(C) request to go home early, while permitting less senior employees to leave early. Around (b) (6), (b) (7)(C) was late to work (for the first time). (b) (6), (b) (7)(C) called (b) (6), (b) (7)(C) in to

work, then sent her home. (b) (6), (b) (7)(C) was not paid for that day. Other employees who are late are routinely permitted to work their regular work assignments without being sent home.

Also in (b) (6), (b) (7)(C) denied (b) (6), (b) (7)(C) request to go home early, while permitting new hires and employees with less seniority to go home early. (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) retaliated because of (b) (6), (b) (7)(C) protected complaint on the Hotline.

- On (b) (6), (b) (7)(C) the presence of a (b) (6), (b) (7)(C), employee (b) (6), (b) (7)(C) used profanity at (b) (6), (b) (7)(C) and physically assaulted (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was not the aggressor. The Employer took statements from witnesses. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) admitted that (b) (6), (b) (7)(C) was the aggressor and that (b) (6), (b) (7)(C) had not touched (b) (6), (b) (7)(C) or used profanity. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) would recommend termination for employee (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) pressured employees to change their statements about the incident. By email on (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) of the witness tampering but (b) (6), (b) (7)(C) took no action. The Employer issued a written warning to (b) (6), (b) (7)(C) (on (b) (6), (b) (7)(C)) for the incident with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) filed grievances.
- (b) (6), (b) (7)(C) alleges that (b) (6), (b) (7)(C) has engaged in retaliation because of (b) (6), (b) (7)(C) protected concerted activities. (b) (6), (b) (7)(C) assigned (b) (6), (b) (7)(C) to train (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) complained to HR that (b) (6), (b) (7)(C) was training (b) (6), (b) (7)(C) improperly including (b) (6), (b) (7)(C), not permitting (b) (6), (b) (7)(C), providing misinformation, etc. (b) (6), (b) (7)(C) complained about this to (b) (6), (b) (7)(C).
- (b) (6), (b) (7)(C) training was repeatedly delayed. (b) (6), (b) (7)(C) alleges that the (b) (6), (b) (7)(C) set (b) (6), (b) (7)(C) up to fail by assigning (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) observation and - during (b) (6), (b) (7)(C) training period - by assigning (b) (6), (b) (7)(C) particularly difficult (b) (6), (b) (7)(C) tolerating poorly loaded and mislabeled packages, assigning (b) (6), (b) (7)(C) out-of-location trainers who were unfamiliar with the (b) (6), (b) (7)(C) and refusing to permit (b) (6), (b) (7)(C) to come in early to get (b) (6), (b) (7)(C) work done, when other employees were permitted to come in early. Other employees repeatedly told (b) (6), (b) (7)(C) that there was a target on (b) (6), (b) (7)(C) back and (b) (6), (b) (7)(C) was being singled out with especially difficult (b) (6), (b) (7)(C) and poorly loaded trucks.
- Around (b) (6), (b) (7)(C) accompanied by a (b) (6), (b) (7)(C) complaint to (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) treatment during (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would contact an attorney about (b) (6), (b) (7)(C) complaints. On (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was notified that (b) (6), (b) (7)(C) would be suspended because (b) (6), (b) (7)(C) had "threatened" (b) (6), (b) (7)(C) by mentioning an attorney. (b) (6), (b) (7)(C) alleges that the suspension is retaliation for protected activity of raising complaints to the (b) (6), (b) (7)(C) while accompanied by (b) (6), (b) (7)(C).
- Around (b) (6), (b) (7)(C) made additional complaints to the Hotline about (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) then assigned (b) (6), (b) (7)(C) a new (b) (6), (b) (7)(C) for peak, when the other (b) (6), (b) (7)(C) were not assigned new (b) (6), (b) (7)(C) for peak.
- On (b) (6), (b) (7)(C) was disqualified from (b) (6), (b) (7)(C) without being allowed to complete (b) (6), (b) (7)(C).

**Board Affidavits:**

I request to take affidavits from any individuals with information relevant to this investigation.

Please be advised that the failure to present representatives who would appear to have information relevant to the investigation, for the purposes of my taking sworn statements, constitutes less than complete cooperation in the investigation of the charge.

**Documents:**

Please provide the following:

- (a) Employee file for (b) (6), (b) (7)(C) h
- (b) Copies of all Hotline complaints filed by (b) (6), (b) (7)(C)
- (c) Explanation for why (b) (6), (b) (7)(C) was not permitted to start (b) (6), (b) (7)(C) training until (b) (6), (b) (7)(C)
- (d) Explanation for why (b) (6), (b) (7)(C) was not permitted to complete (b) (6), (b) (7)(C) training.

**Date for Submitting Evidence:**

To resolve this matter as expeditiously as possible, you must provide your evidence and position paper by **Wednesday, November 28**. If you are willing to allow me to take affidavits, please contact me to schedule them. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to [www.nlrb.gov](http://www.nlrb.gov), select E-File Documents, enter the NLRB case number, and follow the detailed instructions. If I have not received all your evidence by the due date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Please contact me if you have any questions.

Thank you.

Randy Girer

*Randy M. Girer  
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LAURA BRADARICH WILLIAMS

(817) 305-0328

[laura.williams@phelps.com](mailto:laura.williams@phelps.com)

December 12, 2018

21914-0564

**VIA NLRB E-PORTAL**

Randy Girer  
Field Attorney  
National Labor Relations Board – Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103

Re: **(b) (6), (b) (7)(C)** v. *United Parcel Service, Inc.*  
Case No. 16-CA-230318

Dear Ms. Girer:

Respondent United Parcel Service, Inc. (“UPS” or the “Company”) submits this position statement in response to the unfair labor practice charge filed by Charging Party **(b) (6), (b) (7)(C)** **(b) (6), (b) (7)(C)** on October 31, 2018. UPS emphatically denies that it engaged in any unfair labor practice under the National Labor Relations Act (“NLRA”). As demonstrated below, UPS has taken no action whatsoever against **(b) (6), (b) (7)(C)** in retaliation for **(b) (6), (b) (7)(C)** engaging in any alleged protected activity under the NLRA. Accordingly, UPS requests that the charge be promptly dismissed on its merits.

**STATEMENT OF FACTS**

**A. Background**

UPS is a world-wide package delivery and business logistics service. The company manages the flow of goods, funds, and information in more than 200 countries and territories worldwide on a daily basis. UPS operates package processing facilities throughout the United States and the world, including the Georgetown package delivery center in Georgetown, Texas (the “Georgetown Facility”). **(b) (6), (b) (7)(C)** is employed as **(b) (6), (b) (7)(C)** in the Georgetown Facility’s **(b) (6), (b) (7)(C)** (the “Georgetown **(b) (6), (b) (7)(C)**”). The Georgetown Facility is managed by **(b) (6), (b) (7)(C)**.

**B. The UPS/Teamsters Collective Bargaining Agreement**

UPS has entered into a CBA with the International Brotherhood of Teamsters, Local No. 657 (the “Union”), which sets forth various policies and procedures to be followed by employees and UPS. The parties’ relationship is governed by the National Master United Parcel Service Agreement and Southern Region Supplement Agreement for the period of August 1, 2013,



through July 31, 2018.<sup>1</sup> (A copy of the CBA is attached as Exhibit A). (b) (6), (b) (7)(C) is (and at all relevant times, has been) a member of the Union, and, therefore, (b) (6), (b) (7)(C) is subject to and bound by the CBA negotiated by the Union on (b) (6), (b) (7)(C) behalf.

### 1. Seniority Provisions

The CBA sets forth a number of provisions concerning the determination and application of seniority. Article 48 provides that “Seniority will be on a Center basis and by job classification.” (Exhibit A, p. 188). Seniority is attained after 30 days of working in a job classification within a 120-day period. (Exhibit A, p. 183).

From time to time, part time employees may wish to transfer to another location. In such cases, the CBA provides in Article 22, Section 6, that “Company seniority shall be retained *for the purpose of number of weeks of vacation, and number of holidays* in accordance with the applicable Supplement at the new location.” (Exhibit A, p. 70, emphasis added). However, the CBA expressly provides that “Job Classification Seniority shall be end-tailed” meaning that the employee will be placed *at the bottom of his or her job classification seniority list at his or her new location.* (*Id.*). This job classification seniority date is relevant in a number of key ways in the course of daily operations. For example, to the extent that extra work is available, Article 49 provides that “the work shall be assigned by seniority *within the classification and work area* to those who are qualified, present and available.” (Exhibit A, p. 208, emphasis added).

### 2. Temporary Cover Drivers (TCDs)

In many cases, a newly-hired UPS employee begins his or her career as a part-time package handler responsible for sorting, loading, or otherwise processing packages inside UPS facilities. By contrast, full-time package car drivers are responsible for picking up and delivering customer packages in UPS’s familiar brown package cars. UPS is committed to promoting employees from within whenever possible. Accordingly, from time to time, part-time employees may be given the opportunity to train to operate package cars. In the Georgetown Facility, many package handlers choose to obtain driver training by becoming “temporary cover drivers” or “TCDs.” A TCD is package handler who has been trained as a driver and is “on call” in the event that a full-time package car driver is absent and his or her route must be covered.

Pursuant to Article 49, Section 7, of the CBA, when a package center requires TCDs, Human Resources posts a TCD training list. (*See* Exhibit A, p. 213). Interested employees must then sign up to become candidates for training, provided that they meet certain preliminary qualifications, such as being able to operate a manual transmission. Human Resources then contacts employees on the TCD training list in seniority order *to offer them the opportunity to begin training.*<sup>2</sup> Driver training begins with a 40-hour class offered on a district-wide basis in McKinney, Texas (“Intergrad”); although Intergrad is preferred, there is also an alternative local

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<sup>1</sup> The parties have negotiated a new collective bargaining agreement, but it is not yet effective. The CBA attached as Exhibit A remains in effect.

<sup>2</sup> Once an employee has qualified as a cover driver, the CBA requires that they be offered TCD work in accordance with seniority rules. (*See* Exhibit A, p. 213 – 214). However, the CBA does not contain such requirements during the TCD training process.

class offered on a limited basis. If an employee is available to attend driver training class when offered, he or she attends. If the employee is unavailable or otherwise does not wish to attend training class when offered, Human Resources offers the training slot to the next most senior employee (by building seniority date) until all slots are filled.

Each part-time employee from the Georgetown Facility who passes the driver training class then returns to the Georgetown Facility to begin a 30-day probationary period of on road training, during which time they complete a training packet. The Georgetown Facility has a limited number of designated training routes, selected for their diversity to give trainees the opportunity to practice all UPS methods that they might need covering any given route. Trainees are assigned to an available training route, or, if multiple training routes are available, they work with management to select the route for which they have the most area knowledge. The trainee remains assigned to the same training route throughout the 30-day period. For the first three days, trainees are given one-on-one training with a supervisor and a reduced workload so that they can learn the area. For the remainder of the 30-day period, trainees are expected to complete normal workloads alone, thereby demonstrating the ability to cover a regular route.

If at any point during the 30-day period, the employee demonstrates a lack of progress or skill, the employee may be “disqualified” at the discretion of the management personnel supervising his or her training. UPS operates in a highly competitive, time-sensitive industry. Accordingly, UPS package car drivers work on carefully planned, tightly-scheduled routes; UPS devotes considerable resources to the development of these “planned days” to ensure that it meets its commitments to customers and its sterling reputation in its industry. It is critical that no employee be given the responsibility to run package routes before he or she demonstrates the requisite skill to succeed. If, however, the employee completes his or her 30-day probationary period, he or she is entitled to perform TCD work when needed, according to his or her seniority. (See Exhibit A, p. 213).

### *3. The Grievance Process*

If an employee believes that the terms of the CBA have been violated, the employee may file a grievance regarding the matter and take advantage of the CBA’s comprehensive grievance process. The grievance process includes four steps at which a grievance could be resolved: (1) a local hearing; (2) a panel hearing before the Southern Region Area Parcel Grievance Committee panel (“SRAPGC panel”); (3) a panel hearing before a SRAPGC Deadlock panel (“SRAPGC Deadlock panel”); and (4) binding arbitration before a Federal Mediation and Conciliation Service arbitrator. (Exhibit A, pp. 217-220). Once an employee files a grievance, Union representatives advocate on behalf of the employee grievant at a local hearing, which may continue to a regional (or national) panel hearing and a deadlock panel hearing, should the Union and UPS not reach a resolution. If each panel considering the grievance remains deadlocked, a binding arbitration is held before an arbitrator. (Exhibit A, pp. 217-220). Accordingly, the CBA’s grievance process provides a fair means for resolving employment disputes that arise under the contract, including the very dispute raised in Case No. 16-CA-230318.

C. (b) (6), (b) (7)(C) Employment at UPS

(b) (6), (b) (7)(C) works as a (b) (6), (b) (7)(C) in the Georgetown Preload with a building seniority date of (b) (6), (b) (7)(C). (A summary of (b) (6), (b) (7)(C) employment history with UPS is attached as Exhibit B). (b) (6), (b) (7)(C) began (b) (6), (b) (7)(C) career with UPS in (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). While in League City, (b) (6), (b) (7)(C) attempted to qualify as a (b) (6), (b) (7)(C) but failed to complete the 30-day qualification period necessary to do so. (b) (6), (b) (7)(C) then (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (which is part of UPS's (b) (6), (b) (7)(C)).<sup>3</sup> (b) (6), (b) (7)(C) never performed (b) (6), (b) (7)(C) work while in (b) (6), (b) (7)(C).

On or around (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) to the Georgetown Facility, where the CBA governs. At the time, the Georgetown Facility was managed by (b) (6), (b) (7)(C). At each UPS facility, a member of UPS management is responsible for overseeing health and safety concerns, including proper workplace attire. During the relevant period at the Georgetown Facility, this function was (and is) performed by (b) (6), (b) (7)(C) (b) (6), (b) (7)(C).

In approximately (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) posted a list of (b) (6), (b) (7)(C) in what (b) (6), (b) (7)(C) then believed to be seniority order. In reality, the list ranked employees by their hire date, rather than their building seniority date. Unfortunately, this list gave the erroneous impression that (b) (6), (b) (7)(C) was near the top of the seniority list, due to the significant difference between (b) (6), (b) (7)(C) hire date and (b) (6), (b) (7)(C) seniority date.

Soon after (b) (6), (b) (7)(C) posted the list, (b) (6), (b) (7)(C) was summoned to a meeting with (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) claimed that (b) (6), (b) (7)(C) had been singled out by (b) (6), (b) (7)(C) who told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) tank top did not comply with the dress code, gesturing in the direction of (b) (6), (b) (7)(C) torso, while others were purportedly permitted to wear similar tank tops. After some discussion, (b) (6), (b) (7)(C) gave an unqualified apology for the misunderstanding. (b) (6), (b) (7)(C) nevertheless asked that (b) (6), (b) (7)(C) not be allowed to speak to (b) (6), (b) (7)(C) going forward. While this was impossible, the parties agreed that (b) (6), (b) (7)(C) would not speak to (b) (6), (b) (7)(C) without a Union steward present. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) was satisfied with this resolution.

Following the meeting, (b) (6), (b) (7)(C) approached (b) (6), (b) (7)(C) and advised (b) (6), (b) (7)(C) that the (b) (6), (b) (7)(C) seniority list was incorrect. Specifically, (b) (6), (b) (7)(C) noted that (b) (6), (b) (7)(C) was incorrectly placed at the top of the list, as (b) (6), (b) (7)(C) had only recently transferred to the building. (b) (6), (b) (7)(C) discovered (b) (6), (b) (7)(C) error, corrected the list to reflect each employee's building seniority date, and reposted the corrected list.<sup>4</sup> When (b) (6), (b) (7)(C) saw the corrected list, (b) (6), (b) (7)(C) began shouting at (b) (6), (b) (7)(C) attributing the change to (b) (6), (b) (7)(C) complaint about (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), hearing the commotion, approached and attempted to explain the true reason for the correction. (b) (6), (b) (7)(C) disregarded (b) (6), (b) (7)(C) Union steward, continuing to insist that (b) (6), (b) (7)(C) was attempting to

<sup>3</sup> Bargaining unit employees in the (b) (6), (b) (7)(C) are subject to the National Master United Parcel Service Agreement, as well as Southwest Region Package and Sort Riders; the Southern Region Supplement Agreement (and therefore, the CBA, as defined herein) does not apply.

<sup>4</sup> Article 48, Section 1(B) of the CBA expressly provides that seniority lists may be corrected to resolve clerical errors. (See Exhibit A, p. 188).



block (b) (6), (b) (7)(C) attempts “to better (b) (6), (b) (7)(C) life” and has, since that time, has repeatedly called (b) (6), (b) (7)(C) a liar and a backstabber to other employees.

On (b) (6), (b) (7)(C) 2018, Human Resources posted the (b) (6), (b) (7)(C) training list, allowing any interested (b) (6), (b) (7)(C) to sign up for training to (b) (6), (b) (7)(C). (A copy of the (b) (6), (b) (7)(C) training list is attached as Exhibit C). Soon after, also in (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) joined the Georgetown Facility as an (b) (6), (b) (7)(C). Within (b) (6), (b) (7)(C) first hour in the building, (b) (6), (b) (7)(C) approached (b) (6), (b) (7)(C) to complain that (b) (6), (b) (7)(C) should not be required to attend (b) (6), (b) (7)(C) training class, claiming that (b) (6), (b) (7)(C) had already completed all of the necessary training and that everyone was conspiring against (b) (6), (b) (7)(C) to keep (b) (6), (b) (7)(C) from working as a (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) assured (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) would look into the matter, and contacted Human Resources. Human Resources confirmed that (b) (6), (b) (7)(C) was indeed required to complete (b) (6), (b) (7)(C) training, and, in fact, that (b) (6), (b) (7)(C) had only served as a (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) remained on the (b) (6), (b) (7)(C) training list and was never removed.

In (b) (6), (b) (7)(C) 2018, the Georgetown Facility began sending two employees from the (b) (6), (b) (7)(C) training list to (b) (6), (b) (7)(C) training class each week. Working down the list in seniority order, Human Resources contacted (b) (6), (b) (7)(C) and offered to send (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C) on or around (b) (6), (b) (7)(C) 2018. (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) had recently (b) (6), (b) (7)(C) and could not take time off to attend class (b) (6), (b) (7)(C). Human Resources then offered (b) (6), (b) (7)(C) to attend a local class the following week, which (b) (6), (b) (7)(C) likewise declined. Accordingly, (b) (6), (b) (7)(C) was offered and accepted the next local class, beginning on or around (b) (6), (b) (7)(C) 2018. Consistent with past practice, Human Resources then proceeded down the (b) (6), (b) (7)(C) training list in seniority order, filling the class slots that (b) (6), (b) (7)(C) had rejected.

#### **D. Alleged Assault by (b) (6), (b) (7)(C)**

On (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) engaged in an altercation with another (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) approached (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) was positioned in front of a bulletin board with a number of other employees signing bid lists. (b) (6), (b) (7)(C) attempted to reach around (b) (6), (b) (7)(C) in order to sign the bid list. (b) (6), (b) (7)(C) moved to block (b) (6), (b) (7)(C) and insisted that (b) (6), (b) (7)(C) wait until (b) (6), (b) (7)(C) was finished. The confrontation quickly escalated, with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) exchanging hostile words and standing in aggressively close proximity to one another. According to many accounts, (b) (6), (b) (7)(C) pointed a pen toward (b) (6), (b) (7)(C) face and (b) (6), (b) (7)(C) swatted at it. During the confrontation, (b) (6), (b) (7)(C) shouted that (b) (6), (b) (7)(C) had hit (b) (6), (b) (7)(C). Noticing the commotion, (b) (6), (b) (7)(C) approached and instructed the employees to separate, and escorted them to the preload office. Anticipating an investigation, (b) (6), (b) (7)(C) asked the witnesses to this incident to prepare written statements while their memories were fresh.

Later the same day (b) (6), (b) (7)(C) called in a “corporate complaint” to Human Resources regarding (b) (6), (b) (7)(C) altercation with (b) (6), (b) (7)(C). (Copies of corporate complaints filed by (b) (6), (b) (7)(C) in 2018 are attached as Composite Exhibit D; see Exhibit D, pp. 10-14). UPS takes violence in the workplace seriously, and promptly referred the issue to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) to begin a comprehensive investigation of the alleged assault. (A copy of UPS’s investigatory file concerning this incident is attached as Exhibit E). (b) (6), (b) (7)(C) quickly determined

that there was no video footage of the incident, as it occurred out of range of UPS's security cameras. (b) (6), (b) (7)(C) then proceeded to interview witnesses on the next day, (b) (6), (b) (7)(C), 2018.<sup>5</sup> Only one witness claimed to have seen (b) (6), (b) (7)(C) strike (b) (6), (b) (7)(C) but that witness' account was not found to be credible due to (b) (6), (b) (7)(C) poor vantage point to observe the confrontation. (See Exhibit E, p. 26). The remaining witnesses credibly testified that they either did not see any physical contact between the parties, and certainly did not see (b) (6), (b) (7)(C) shove (b) (6), (b) (7)(C) (See Exhibit E, pp. 4, 6-7, 21-25). And, at least two witnesses told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) had attempted to persuade employees to confirm (b) (6), (b) (7)(C) story, and threatened at least one employee (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) did not do so.<sup>6</sup>

Through (b) (6), (b) (7)(C) investigation, (b) (6), (b) (7)(C) obtained no conclusive evidence of physical violence by either (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C). However, it was clear that both employees were unprofessional and escalated the conflict between them. (b) (6), (b) (7)(C) reported (b) (6), (b) (7)(C) findings to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) determined that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) should be issued written warnings for unprofessional conduct. (Copies of discipline notices issued to (b) (6), (b) (7)(C) in 2018 are attached as Composite Exhibit F; see also Exhibit E, p. 27)

#### E. (b) (6), (b) (7)(C) Training

As (b) (6), (b) (7)(C) had specifically requested, (b) (6), (b) (7)(C) began (b) (6), (b) (7)(C) training at a local class on or around (b) (6), (b) (7)(C), 2018. At the time, Georgetown (b) (6), (b) (7)(C) who completed (b) (6), (b) (7)(C) training class (whether locally or (b) (6), (b) (7)(C)) were able to begin (b) (6), (b) (7)(C) training within weeks after "graduating" from training class, and were scheduled for (b) (6), (b) (7)(C) training in the order in which they graduated. (b) (6), (b) (7)(C) entered (b) (6), (b) (7)(C) training in seniority order, based on (b) (6), (b) (7)(C) building seniority date.

(b) (6), (b) (7)(C) began (b) (6), (b) (7)(C) training on or around (b) (6), (b) (7)(C), 2018. (b) (6), (b) (7)(C) selected (b) (6), (b) (7)(C) and remained assigned to that (b) (6), (b) (7)(C) throughout (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) received three days of one-on-one training with a supervisor before being sent out on (b) (6), (b) (7)(C) selected (b) (6), (b) (7)(C) alone, consistent with standard practice. As (b) (6), (b) (7)(C) training period continued, (b) (6), (b) (7)(C) performance remained unsatisfactory and failed to improve; (b) (6), (b) (7)(C) was repeatedly "over-allowed" (meaning that (b) (6), (b) (7)(C) went over the allotted time for (b) (6), (b) (7)(C) planned day) and had multiple service failures (meaning that (b) (6), (b) (7)(C) failed (b) (6), (b) (7)(C) paid for by and promised to the customer). More troubling, (b) (6), (b) (7)(C) was unreceptive to management's feedback, instead insisting that (b) (6), (b) (7)(C) was not at fault or should not be required to honor the (b) (6), (b) (7)(C). Accordingly, (b) (6), (b) (7)(C) determined that (b) (6), (b) (7)(C) should be "disqualified" and cease (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) timely grieved (b) (6), (b) (7)(C) disqualification from (b) (6), (b) (7)(C) training. (Copies of grievances filed by (b) (6), (b) (7)(C) in 2018 as Composite Exhibit G).

<sup>5</sup> (b) (6), (b) (7)(C) called in (b) (6), (b) (7)(C) complaint after the preload employees had already left for the day, too late for (b) (6), (b) (7)(C) to conduct same-day interviews. Bargaining unit employees were interviewed the following day in the presence of a Union steward, as set forth in Exhibit E.

<sup>6</sup> Specifically, (b) (6), (b) (7)(C) threatened to expose (b) (6), (b) (7)(C) purported romantic relationship with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was unable to discover any evidence that such a relationship existed between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C).

**F. Local Grievance Hearing**

On (b) (6), (b) (7)(C), 2018, the parties met for a local hearing concerning (b) (6), (b) (7)(C) pending grievances. The local hearing was attended by: (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C) current capacity as (b) (6), (b) (7)(C). The parties each presented their positions and evidence and, by agreement, resolved (b) (6), (b) (7)(C) pending grievance regarding (b) (6), (b) (7)(C) disqualification from (b) (6), (b) (7)(C) training. Specifically, in a show of good faith, UPS agreed to allow (b) (6), (b) (7)(C) a second chance to complete (b) (6), (b) (7)(C) training, beginning on (b) (6), (b) (7)(C) 2018.<sup>7</sup> Such a second chance is wholly unprecedented at the Georgetown Facility. Accordingly, (b) (6), (b) (7)(C) further agreed that, in addition to (b) (6), (b) (7)(C) grievance, the parties' settlement had resolved their disputes with respect to Allegation Nos. 3, 5-8, 10-12, and 14 in the instant unfair labor practice charge, which likewise concern (b) (6), (b) (7)(C) training. (A copy of the agreement, including the unfair labor practice charge initiated by (b) (6), (b) (7)(C) is attached as Exhibit H).

Additionally, (b) (6), (b) (7)(C) (represented and advised at all times by the Union) voluntarily withdrew grievance nos. (b) (6), (b) (7)(C). (Copies of the remaining resolved grievances are attached as Composite Exhibit I). The parties settled grievance no. (b) (6), (b) (7)(C), with UPS giving its assurances that it would comply with the CBA. (See Exhibit I, p. 4). And, grievance nos. (b) (6), (b) (7)(C) were denied. (See Exhibit I, pp. 5-6). (b) (6), (b) (7)(C) declined to hear the remainder of (b) (6), (b) (7)(C) grievances; accordingly, UPS expects that the Union will schedule a local hearing at such a time as (b) (6), (b) (7)(C) is amenable to hearing (b) (6), (b) (7)(C) grievances.<sup>8</sup>

**G. Response to (b) (6), (b) (7)(C) Specific Allegations**

UPS restates and responds to the specific allegations contained in the charge as follows:

1. The Employer removed (b) (6), (b) (7)(C) from the seniority list for (b) (6), (b) (7)(C) after (b) (6), (b) (7)(C) complained about sexual harassment by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) had been (b) (6), (b) (7)(C) on the seniority list, which was posted for several months. Several supervisors repeatedly told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was eligible for the (b) (6), (b) (7)(C) list.
2. The Employer by its (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would be awarded a (b) (6), (b) (7)(C) position only if (b) (6), (b) (7)(C) agreed to drop any grievance or claim against (b) (6), (b) (7)(C).
3. The Employer required (b) (6), (b) (7)(C) to start over completely with (b) (6), (b) (7)(C) training, and delayed (b) (6), (b) (7)(C) training for several months.

<sup>7</sup> UPS also withdrew discipline that is not the subject of this unfair labor practice charge due to an error in the disciplinary notice. (See Exhibit D, p. 6). All other disciplinary actions taken against (b) (6), (b) (7)(C) remain in effect.

<sup>8</sup> At the local level hearing, (b) (6), (b) (7)(C) represented to UPS that (b) (6), (b) (7)(C) would be referring certain concerns to (b) (6), (b) (7)(C) attorney. Attorneys are not permitted at SRAPGC Panel and Deadlock hearings, however, and may be used only in the event of arbitration. (See Exhibit A, pp. 219-20). The parties await word from (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) willingness to proceed using the contractual grievance-arbitration procedure.



4. The employer failed to investigate when employee **(b) (6), (b) (7)(C)** physically assaulted **(b) (6), (b) (7)(C)** and issued discipline to **(b) (6), (b) (7)(C)**
5. During **(b) (6), (b) (7)(C)** training, the Employer assigned **(b) (6), (b) (7)(C)** more onerous work assignments including more difficult and time consuming **(b) (6), (b) (7)(C)**
6. During **(b) (6), (b) (7)(C)** training, the Employer assigned **(b) (6), (b) (7)(C)** to other employees, while telling **(b) (6), (b) (7)(C)** that **(b) (6), (b) (7)(C)** had to “pick **(b) (6), (b) (7)(C)** own” **(b) (6), (b) (7)(C)** from the **(b) (6), (b) (7)(C)** that were left over (resulting in **(b) (6), (b) (7)(C)** being assigned the more difficult **(b) (6), (b) (7)(C)**
7. During **(b) (6), (b) (7)(C)** training, the Employer assigned **(b) (6), (b) (7)(C)** a more difficult **(b) (6), (b) (7)(C)** on “peak” while other **(b) (6), (b) (7)(C)** trainees are assigned less difficult **(b) (6), (b) (7)(C)**
8. During **(b) (6), (b) (7)(C)** training, the Employer treated **(b) (6), (b) (7)(C)** differently from other employees who have come in late, by sending **(b) (6), (b) (7)(C)** home early or assigning **(b) (6), (b) (7)(C)** the most difficult work assignments while other employees’ lateness is tolerated;
9. The Employer failed to review or grant **(b) (6), (b) (7)(C)** sick leave requests based on a doctor note;
10. During driving training, the Employer failed to train **(b) (6), (b) (7)(C)** properly for **(b) (6), (b) (7)(C)** assignments;
11. During **(b) (6), (b) (7)(C)** training, the Employer tolerated or encouraged mislabeling of packages so that **(b) (6), (b) (7)(C)** is prevented from performing **(b) (6), (b) (7)(C)** duties in a timely manner;
12. During **(b) (6), (b) (7)(C)** training, the Employer denied **(b) (6), (b) (7)(C)** the opportunity to come to work early so that **(b) (6), (b) (7)(C)** can properly perform **(b) (6), (b) (7)(C)** duties, while other employees were previously permitted to come to work early for the same reason;
13. The Employer threatened employees with retaliation if they refused to change their witness statements concerning the assault by employee **(b) (6), (b) (7)(C)** of employee **(b) (6), (b) (7)(C)**
14. The Employer disqualified **(b) (6), (b) (7)(C)** from **(b) (6), (b) (7)(C)** during **(b) (6), (b) (7)(C)** training period.

UPS vehemently denies that it has taken any action against **(b) (6), (b) (7)(C)** whatsoever to discriminate or retaliate against **(b) (6), (b) (7)(C)** for engaging in allegedly protected union activities. At all times, UPS has acted in support of its legitimate business reasons and has not violated the NLRA.

To prove discrimination or retaliation for union activities, the charging party must demonstrate that he or she engaged in a protected activity and that an adverse action resulted from the protected activity. *See, e.g., Wright Line, a Division of Wright Line, Inc.*, 251 NLRB 1083 (1980). In addition, the charging party must show that the employer was motivated by anti-union animus. *See, e.g., Neptco, Inc. & Teamsters Local Union 61*, 346 NLRB 18 (2005) (“Absent a showing of anti-union motivation, an employer may discharge an employee for a good reason, a bad reason, or no reason at all without running afoul of the labor laws.”).

There is simply no evidence whatsoever that UPS took *any* adverse action against (b) (6), (b) (7)(C) because of protected activities. UPS does not deny that (b) (6), (b) (7)(C) has filed grievances and corporate complaints. However, a mere history of filing individual grievances does not show that anti-union animus was behind any subsequent employment decision. *See, e.g. California Co-op Creamery*, 290 NLRB 355 (1988) (affirming the findings of the administrative law judge that employees' histories of filing grievances were insufficient to show that they were not hired by a successor employer because of anti-union animus); *Neptco, Inc.*, 346 NLRB 18 (a mere coincidence in time between union activity and discharge is insufficient to show anti-union animus). “[A]n anti-union attitude cannot lightly be inferred onto an employer with a history of good union relations, and *mere suspicions of unlawful motivation are insufficient to establish violations of the NLRA.*” *See Ascaro v. N.L.R.B.*, 86 F.3d 1401, 1408 (5th Cir. 1996) (emphasis added).

(b) (6), (b) (7)(C) essentially asks the Board to assume that, because (b) (6), (b) (7)(C) has reported complaints about (b) (6), (b) (7)(C) supervisors and coworkers, any disagreements that follow can only be attributable to (b) (6), (b) (7)(C) complaints. This is simply not so. UPS has acted at all times in good faith and for legitimate, non-discriminatory and non-retaliatory reasons, as set forth below.

(b) (6), (b) (7)(C) enumerated allegations can reasonably be grouped into four categories: (i) allegations concerning (b) (6), (b) (7)(C) eligibility for a (b) (6), (b) (7)(C) position; (ii) allegations concerning (b) (6), (b) (7)(C) training as a (b) (6), (b) (7)(C) (iii) allegations concerning (b) (6), (b) (7)(C) alleged assault by (b) (6), (b) (7)(C) and, (iv) (b) (6), (b) (7)(C) allegation concerning sick leave. Below we address each category.

(i) (b) (6), (b) (7)(C) Eligibility for a (b) (6), (b) (7)(C) Position – Allegation Nos. 1 and 2

(b) (6), (b) (7)(C) claims that UPS removed (b) (6), (b) (7)(C) from “the seniority list for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) would be awarded a (b) (6), (b) (7)(C) position only if (b) (6), (b) (7)(C) agreed to drop any claims against (b) (6), (b) (7)(C). UPS vehemently denies both allegations. As set forth above, the CBA contains comprehensive and detailed rules concerning seniority, including that “Seniority will be on a Center basis and by job classification” and that (b) (6), (b) (7)(C) employees who transfer locations move to the bottom of the job classification seniority list at their new location. (Exhibit A, pp. 188, 70). Thus, (b) (6), (b) (7)(C) seniority date during the relevant period was (and is) (b) (6), (b) (7)(C), the date that (b) (6), (b) (7)(C) transferred in to the Georgetown (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) was not removed from any (b) (6), (b) (7)(C) seniority list, as (b) (6), (b) (7)(C) was a (b) (6), (b) (7)(C) employee and was therefore never on any (b) (6), (b) (7)(C) seniority list. To the extent that (b) (6), (b) (7)(C) allegation concerns the (b) (6), (b) (7)(C) trainee list, UPS expressly denies that (b) (6), (b) (7)(C) was removed from the list. (See Exhibit C). (b) (6), (b) (7)(C) remained at all relevant times on the (b) (6), (b) (7)(C) trainee list, until such time as (b) (6), (b) (7)(C) actually began (b) (6), (b) (7)(C) training. Although (b) (6), (b) (7)(C) declined both (b) (6), (b) (7)(C) first and second opportunities to begin (b) (6), (b) (7)(C) training, UPS placed (b) (6), (b) (7)(C) in the next local training class at (b) (6), (b) (7)(C) request. Additionally, UPS acknowledges that a clerical error was made when a seniority list was posted in March 2018, reflecting (b) (6), (b) (7)(C) hire date rather than (b) (6), (b) (7)(C) seniority date. However, *the Union pointed out this error and UPS promptly corrected it.* This correction did not in any way alter (b) (6), (b) (7)(C) seniority rights under the CBA. In short, (b) (6), (b) (7)(C) was selected for (b) (6), (b) (7)(C) training in accordance with the CBA and UPS’s standard procedures, with all due rights afforded (b) (6), (b) (7)(C) by (b) (6), (b) (7)(C) seniority.

UPS further denies that it required (b) (6), (b) (7)(C) to “drop any grievance or claim against (b) (6), (b) (7)(C) in order to become a (b) (6), (b) (7)(C). To begin with, (b) (6), (b) (7)(C) never filed any formal grievance or complaint against (b) (6), (b) (7)(C) (See Exhibits D, G). UPS freely acknowledges that (b) (6), (b) (7)(C) informally complained that (b) (6), (b) (7)(C) singled (b) (6), (b) (7)(C) out in connection with (b) (6), (b) (7)(C) workplace attire. UPS did not ask (b) (6), (b) (7)(C) to drop (b) (6), (b) (7)(C) complaint, however, and instead *met with (b) (6), (b) (7)(C) to come to a mutually agreeable resolution.* (b) (6), (b) (7)(C) was at all times represented by the Union, and the speedy and cooperative process used to voice and resolve (b) (6), (b) (7)(C) concern is at the very heart of the NLRA. (b) (6), (b) (7)(C) charge attempts to recast good faith attempts to address (b) (6), (b) (7)(C) concerns as a nefarious attempt to silence (b) (6), (b) (7)(C). In so doing, (b) (6), (b) (7)(C) relies solely on (b) (6), (b) (7)(C) own unfounded assumptions regarding UPS’s intent, wholly disregarding both the comprehensive procedures of the CBA and the Union that actively polices it on (b) (6), (b) (7)(C) behalf. For example, (b) (6), (b) (7)(C) identified an error in a seniority list—albeit one that favored (b) (6), (b) (7)(C) over (b) (6), (b) (7)(C) fellow Union members—the same day it was posted and worked with (b) (6), (b) (7)(C) to get it corrected. That (b) (6), (b) (7)(C) complaint about (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) clerical error fell on the same day is nothing more than an unfortunate coincidence; there is no evidence of anti-Union animus on the part of UPS.

(ii) (b) (6), (b) (7)(C) Training – Allegation Nos. 3, 5-8, 10-12, 14

(b) (6), (b) (7)(C) also claims that (b) (6), (b) (7)(C) was treated unfavorably in a number of respects in connection with (b) (6), (b) (7)(C) training. (b) (6), (b) (7)(C) are selected pursuant to Article 49, Section (b) (6), (b) (7)(C), of the CBA. (b) (6), (b) (7)(C) was at all times treated in accordance with these policies and standard UPS (b) (6), (b) (7)(C) training practices, and with due regard for (b) (6), (b) (7)(C) seniority.

As set forth above, whether or not (b) (6), (b) (7)(C) agreed with the CBA, (b) (6), (b) (7)(C) limited experience as a (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C) did not exempt (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C) training during the relevant period. (b) (6), (b) (7)(C) training was not “delayed” and was instead scheduled based on three factors, in order of importance: (1) the operational need for (b) (6), (b) (7)(C); (2) the seniority of the employees who indicated an interest in training; and (3) (b) (6), (b) (7)(C) own availability and willingness to begin training when offered. (b) (6), (b) (7)(C) attended training class at the time (b) (6), (b) (7)(C) requested, and began (b) (6), (b) (7)(C) training in the order in which (b) (6), (b) (7)(C) attended class. (b) (6), (b) (7)(C) then selected (b) (6), (b) (7)(C), and continued to work *only on* (b) (6), (b) (7)(C) throughout (b) (6), (b) (7)(C) training. UPS categorically denies that it acted in any way to sabotage (b) (6), (b) (7)(C) during the training process. (b) (6), (b) (7)(C) was assigned to (b) (6), (b) (7)(C) *real paying customers*. UPS has a significant and undeniable interest in promoting efficiency and, above all, honoring its commitments to its customers; in support of this interest, UPS has expended considerable resources to optimize (b) (6), (b) (7)(C) create methods and procedures, and train its employees. UPS enforces this interest by holding its employees—(b) (6), (b) (7)(C) and management alike—accountable for service failures and inefficiency. To be sure, the job of a (b) (6), (b) (7)(C) is not an easy one, but it was not made harder for (b) (6), (b) (7)(C). It defies logic that UPS would endanger its reputation and its relationship with its customers simply to interfere with a single employee’s ability to perform work on a temporary, sporadic basis. (b) (6), (b) (7)(C) offers nothing more than (b) (6), (b) (7)(C) own subjective opinions regarding the relative difficulty of (b) (6), (b) (7)(C) work, and (b) (6), (b) (7)(C) own unfounded paranoia that UPS would seek to disqualify (b) (6), (b) (7)(C) at any and all costs.

Regardless, UPS has agreed to give (b) (6), (b) (7)(C) a second chance to complete (b) (6), (b) (7)(C) training, an opportunity that is wholly unprecedented at the Georgetown Facility. Assuming



*arguendo* that (b) (6), (b) (7)(C) disqualification as a (b) (6) – rather than a well-trained and efficient workforce – were truly UPS’s goal (which it certainly was not), UPS surely would not have made such a concession.

(iii) (b) (6), (b) (7)(C) Alleged Assault – Allegation Nos. 4, 13

(b) (6), (b) (7)(C) alleges that UPS: (a) failed to investigate (b) (6), (b) (7)(C) alleged assault by (b) (6), (b) (7)(C) (b) issued (b) (6), (b) (7)(C) discipline as a result of the alleged assault; and (c) threatened employees with the purpose of obtaining unfavorable witness statements. (b) (6), (b) (7)(C) first allegation is patently, demonstrably false. UPS conducted a prompt and comprehensive investigation into (b) (6), (b) (7)(C) alleged assault. (See Exhibit E). The investigation did not substantiate (b) (6), (b) (7)(C) claim that (b) (6), (b) (7)(C) was physically assaulted, but the investigation did nevertheless occur. UPS does not deny that, as a result of the investigation, (b) (6), (b) (7)(C) was issued discipline. Specifically, (b) (6), (b) (7)(C) was issued a written warning for unprofessional conduct. (See Exhibit F). Like most (if not all) employers, UPS legitimately and reasonably expects its employees to behave in a civil, professional, and respectful manner.<sup>9</sup> For the most part, employees abide by these basic standards of civility and professionalism. However, from time to time, UPS is required to enforce these standards with disciplinary action. Here, UPS performed a thorough investigation and, although no physical assault could be credibly verified, all witnesses gave substantially the same account of the events preceding the alleged assault. Based on this evidence, UPS determined that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were guilty of unprofessional conduct, including abusive language towards one another. Accordingly, UPS issued written warnings to both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (See Exhibit E, p. 27).

UPS vehemently denies that it encouraged, threatened, or in any way coerced any witness to change their statements concerning this incident. In fact, UPS’s investigation suggests that (b) (6), (b) (7)(C) attempted to solicit, and if necessary, coerce favorable statements matching (b) (6), (b) (7)(C) version of events. (See Exhibit E, p. 19). UPS is not aware of any false witness statements and certainly did not ask any employees to falsify their statements.

(iv) (b) (6), (b) (7)(C) Request for Sick Leave– Allegation No. 9

(b) (6), (b) (7)(C) Allegation No. 9 is exceedingly broad and generalized, such that UPS is unable to respond in detail. However, UPS notes that employees are afforded a limited number of sick days under the CBA. (See Exhibit A, p. 235). And, like most employers, UPS reasonably expects employees to provide as much notice as is practicable prior to their absence. From time to time, (b) (6), (b) (7)(C) has given as little as two hours’ notice of (b) (6), (b) (7)(C) purported need to be absent or leave work early to attend a doctor’s appointment. (b) (6), (b) (7)(C) is not permitted to be absent at (b) (6), (b) (7)(C) discretion and must comply with UPS’s policies and practices to ensure that (b) (6), (b) (7)(C) absences are excused by UPS. Regardless, (b) (6), (b) (7)(C) has not been disciplined for absenteeism. (See Exhibit F). The basis for (b) (6), (b) (7)(C) complaint is therefore unclear, and to the extent that further response is required, UPS requests clarification regarding the nature of (b) (6), (b) (7)(C) allegations.

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<sup>9</sup> This common-sense expectation is also memorialized in the CBA: “Employees will also treat each other as well as the Employer with dignity and respect.” (Exhibit A, pp. 128, 246).

In sum, to the extent that the events about which (b) (6), (b) (7)(C) complains even transpired (which UPS disputes as set forth above), (b) (6), (b) (7)(C) can show no relationship between (b) (6), (b) (7)(C) union activities and those events, and there is no evidence whatsoever of anti-union animus. To the contrary, UPS and the Union have convened and agreed to resolve some of (b) (6), (b) (7)(C) complaints with an outcome exceedingly favorable to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) allegations set forth in Case No. 16-CA-23318 are without factual and legal foundation and warrant a determination that UPS did not violate any provisions of the NLRA.

## H. Request for Deferral

As set forth above, UPS contends that the matters referenced charge have already been submitted to the parties' contractual grievance-arbitration procedure. As a result, Allegation Nos. 3, 5-8, 10-12, and 14 have each been resolved by way of a settlement agreement between the parties. Accordingly, if not dismissed outright, deferral of these allegations is proper under *Alpha Beta Co.*, 273 NLRB 1546 (1985).<sup>10</sup> Similarly, to the extent that any portion of (b) (6), (b) (7)(C) charge has not yet been resolved through the grievance-arbitration procedure (*i.e.*, Allegation Nos. 1, 2, 4, 9, and 13), deferral is proper under *proper under Collyer Insulated Wire*, 192 NLRB 837 (1971),<sup>11</sup> and *Babcock & Wilcox Construction Co., Inc.*, 361 NLRB No. 132 (2014).<sup>12</sup>

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<sup>10</sup> Under *Alpha Beta*, deferral is proper where: (1) the grievance procedure is fair and regular; (2) the parties agreed to be bound by the agreement; (3) the agreement is not clearly repugnant to the NLRA; (4) the grievance issue and the unfair labor practice issue are factually parallel; and (5) the parties are generally aware of the facts relevant to resolving the unfair labor practice. See *Alpha Beta*, 273 NLRB at 1547; *United States Postal Service*, 300 NLRB 196, 198 (1990). Here, the issues are not only factually parallel, but (b) (6), (b) (7)(C)—in the presence of (b) (6), (b) (7)(C) union representatives—expressly agreed that the settlement of (b) (6), (b) (7)(C) grievances resolved the above-referenced enumerated allegations in (b) (6), (b) (7)(C) unfair labor practice charge. To indicate (b) (6), (b) (7)(C) agreement, (b) (6), (b) (7)(C) initialed each of the resolved allegations. (See Exhibit H). After full consideration of the facts presented, the parties were able to agree to settle their dispute as to these allegations under mutually-acceptable terms. Specifically, UPS granted (b) (6), (b) (7)(C) the rare opportunity of a second chance to qualify as a (b) (6), (b) (7)(C).

<sup>11</sup> In *Collyer*, the Board decided that certain charges must be deferred to an existing contractual grievance procedure if the charge meets the following criteria: (1) the employer and union must have a collective bargaining agreement currently in effect that provides for final and binding arbitration; (2) it appears that the arbitral interpretation of the contract will resolve both the unfair labor practice issue and the contract interpretation issue in a manner compatible with the purposes of the NLRA; and (3) the employer has agreed to waive any time limitations to ensure that the arbitrator addresses the merits of the dispute. See *Collyer*, 192 NLRB 837, 841-42. Here, the parties entered into the CBA before the Babcock decision. And, as set forth above, the CBA provides for final and binding arbitration, and the factual allegations underlying the charge—claiming discrimination and harassment because of union activities—assert violations of both the NLRA and the CBA, which are covered by the CBA's grievance-arbitration procedure.

<sup>12</sup> Under *Babcock*, pre-arbitral deferral is proper where arbitration of the statutory issues is authorized by the applicable collective bargaining agreement. Here, (b) (6), (b) (7)(C) claims that (b) (6), (b) (7)(C) was retaliated against in a number of ways for filing corporate complaints and grievances in violation of the NLRA. Such claims clearly fall within the scope of the parties' agreed grievance-arbitration procedure. Discrimination based on union membership or activity is prohibited under Article 21 and 36 of the CBA (See Exhibit A, pp. 66, 127-28). Additionally Articles 37 and 66 each bar retaliation against employees for exercising their rights under the CBA. (*Id.* at pp. 128, 245-46). The CBA specifically grants the arbitrator the authority to issue a decision on any grievance asserting rights under the CBA. (*Id.* at pp. 25, 219-20).

Additionally, as the Board has noted in correspondence to UPS in connection with this action, (b) (6), (b) (7)(C) filed a charge of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) that remains pending and under the jurisdiction of that agency (the (b) (6), (b) (7)(C) Charge"). On information and belief, the (b) (6), (b) (7)(C) Charge was filed in (b) (6), (b) (7)(C) 2018 and asserts allegations which are substantially identical to Allegations No. 1 – 3 in the instant unfair labor practice charge. As set forth above, UPS denies (b) (6), (b) (7)(C) allegations. Regardless, to the extent that the instant unfair labor practice charge raises the same issues under investigation by the (b) (6), (b) (7)(C), it is appropriate to hold this charge in abeyance, pending the (b) (6), (b) (7)(C) consideration of the (b) (6), (b) (7)(C) Charge. See Gen. Couns. Mem. 9-CB-9919 (Dec. 5, 1995); Gen Couns. Mem. 33-CB-2283 (Nov. 21, 1985).

### Conclusion

In sum, UPS denies the allegations contained in (b) (6), (b) (7)(C) unfair labor practice charge and denies that it violated the NLRA. UPS respectfully requests that the Board dismiss the referenced charge on the merits for all the reasons set forth above.

If you have any questions regarding this position statement or need any additional information to complete your investigation, please do not hesitate to contact me at (817) 305-0328 or Dennis McClelland at (813) 472-7865.

Very truly yours,

PHELPS DUNBAR LLP



Laura B. Williams

Enclosures

cc: Dennis M. McClelland, Esq.



# **EXHIBIT B**

## Employee History Profile

Employee profile with Job History, Education, Languages and Training

### General Information

Employee Name	Employee	Job Function Code	Hire Date	Employee Grade Level
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(b) (6), (b) (7)(C)

### Job History

Region Number	Region Name	District Number	District Name	Action Type Cd	Reason Type Cd	Effective Date	Job Title	Job Group Desc
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(b) (6), (b) (7)(C)

### Languages

Language	Translate	Speak	Read	Write	Employee ID
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(b) (6), (b) (7)(C)

### Education

Graduation	School Name	Major Description	Degree Description	Education Level	Employee ID
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(b) (6), (b) (7)(C)

### Training

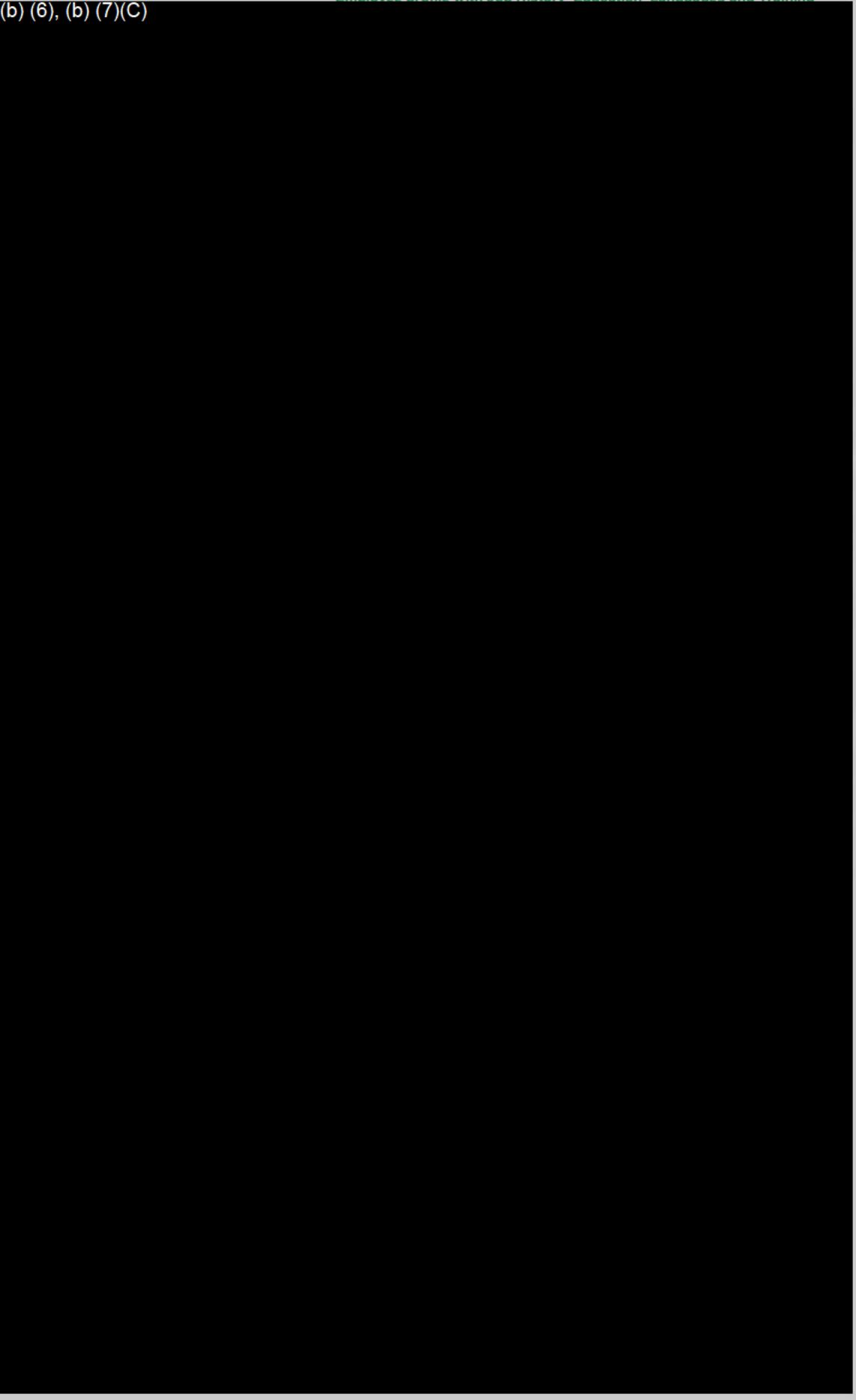
Training Date	Course Code	Course Name	Student Instructor	Internal External	Employee ID
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(b) (6), (b) (7)(C)

## Employee History Profile


Employee profile with Job History, Education, Languages and Training

(b) (6), (b) (7)(C)



## Employee History Profile

(b) (6), (b) (7)(C)



Discussion Type	Review	Employee ID
(b) (6), (b) (7)(C)		

# **EXHIBIT C**



(b) (6), (b) (7)(C)

Location:

TXOSE

Date Posted:

2018

All seniority (b) (6), (b) (7)(C) employees of United Parcel Service who wish to SIGN UP to bid for (b) (6), (b) (7)(C) and who meet the following qualifications, must sign below. 4 positions available

1. Must have six (6) months employment with United Parcel Service.
2. Must be twenty-one (21) years of age - (b) requirement.
3. Must pass (b) written exam.
4. Must pass (b) medical exam.
5. Must pass (b) required (b) test (b) (6), (b) (7).
6. Must possess a valid (b) (6), (b) (7)(C).
7. Cannot have any (ZERO) (b) (6), violations within the last 12 months.
8. No more than two (2) (b) (6), violations in the past thirty-six (36) months.
9. Successfully complete UPS (b) (6), (b) (7)(C) orientation.
10. Must meet UPS appearance standards at time of orientation.

NAMES THAT ARE NOT LEGIBLE WILL NOT BE ADDED TO THE VERIFIED BID LIST

Print Name (Legible)	EMP. ID# or S.S. Number(Last5#'s)	Emp.Date	Sort	ACTIVE Phone # NOT OPTIONAL
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(b) (6), (b) (7)(C)

Page # 2

(b) (6), (b) (7)(C)

Location:

TXOSE

Date Posted:

2018

All seniority (b) (6), (b) (7)(C) employees of United Parcel Service who wish to SIGN UP to bid for (b) (6), (b) (7)(C), and who meet the following qualifications, must sign below.

NAMES THAT ARE NOT LEGIBLE WILL NOT BE ADDED TO THE VERIFIED BID LIST

Print Name (Legible)	EMP. ID# or S.S. Number(Last5#'s)	Emp.Date	Sort	ACTIVE Phone # NOT OPTIONAL
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(b) (6), (b) (7)(C)





# **EXHIBIT D**



## Case Summary

Privacy Level:	Normal
Status:	Pending
Risk:	
Priority:	5
Due Date:	(b) (6), (b) (7)(C)/2018
Summary:	**code 5 protected class** possible HL retaliation, see linked cases - must be investigated or reviewed by (b) (6), (b) (7)(C) have behaved inappropriately and in a (b) (6), (b) (7)(C) discriminatory manner. (b) (6), (b) (7)(C) has jeopardized the employees' physical safety.

## Case Description

On (b) (6), (b) (7)(C) 2018, the (b) (6), (b) (7)(C) employees scanned the packages while the (b) (6), (b) (7)(C) employees unloaded the packages. However, (b) (6), (b) (7)(C) (last name unknown) and (b) (6), (b) (7)(C) (last name unknown) assigned an (b) (6), (b) (7)(C) employee in (b) (6), (b) (7)(C), who is a (b) (6), (b) (7)(C) employee, to work with the (b) (6), (b) (7)(C) employees unloading packages, and the employee nearly fainted from the heat because the employee had no water. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) has not permitted the employees to have water handy. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should not have taken away the water, and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was unaware the (b) (6), (b) (7)(C) employees did not receive reusable water bottles as the other employees received to fill from the water fountain at the front of the location. Additionally, there were some (b) (6), (b) (7)(C) employees scanning packages, and (b) (6), (b) (7)(C) views the issue as (b) (6), (b) (7)(C) discriminatory. (b) (6), (b) (7)(C) believes the employee was "set up for failure" because the employee was told (b) (6), (b) (7)(C) "might not make it" due to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) noted (b) (6), (b) (7)(C) has not provided pallets of water to the employees, though managers have always provided water to the employees. (b) (6), (b) (7)(C) said, upon (b) (6), (b) (7)(C) arrival, (b) (6), (b) (7)(C) announced, via the intercom, "I'm not nice. I'm an asshole." Since then, (b) (6), (b) (7)(C) has withheld water from the employees because (b) (6), (b) (7)(C) has claimed the employees have "wasted water." (b) (6), (b) (7)(C) noted (b) (6), (b) (7)(C) filed an (b) (6), (b) (7)(C) complaint because (b) (6), (b) (7)(C) has experienced retaliation from HR and management for a previous hotline report, which (b) (6), (b) (7)(C) also reported to the hotline without resolution. (b) (6), (b) (7)(C) requested for this report to be withheld from (b) (6), (b) (7)(C) because they are named in (b) (6), (b) (7)(C) complaint.

## Investigative Information

Investigative Information	
Report Source	Help Line
Case Category	Allegation
Who investigated the incident?	(b) (6), (b) (7)(C)
Who reviewed the case?	(b) (6), (b) (7)(C)
Describe and respond to each issue raised by the employee (Issue/Response Format):	<p>Issue On (b) (6), (b) (7)(C) 2018, the (b) (6), (b) (7)(C) employees scanned the packages while the (b) (6), (b) (7)(C) employees unloaded the packages. However, (b) (6), (b) (7)(C) (last name unknown) and (b) (6), (b) (7)(C) (last name unknown) assigned an (b) (6), (b) (7)(C) employee in (b) (6), (b) (7)(C), who is a (b) (6), (b) (7)(C) employee, to work with the (b) (6), (b) (7)(C) employees unloading packages, and the employee nearly fainted from the heat because the employee had no water. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) has not permitted the employees to have water handy. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should not have taken away the water, and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was unaware the (b) (6), (b) (7)(C) employees did not receive reusable water bottles as the other employees received to fill from the water fountain at the front of the location. Additionally, there were some (b) (6), (b) (7)(C) employees scanning packages, and (b) (6), (b) (7)(C) views the issue as (b) (6), (b) (7)(C) discriminatory. (b) (6), (b) (7)(C) believes the employee was "set up for failure" because the employee was told (b) (6), (b) (7)(C) "might not make it" due to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) noted (b) (6), (b) (7)(C) has not provided pallets of water to the employees, though managers have always provided water to the employees.</p> <p>Response (b) (6), (b) (7)(C) Hourly Hire Date: (b) (6), (b) (7)(C) Interviewed (b) (6), (b) (7)(C) and asked if (b) (6), (b) (7)(C) at any time had felt that (b) (6), (b) (7)(C) was being discriminated when (b) (6), (b) (7)(C) was hired. (b) (6), (b) (7)(C) replied not at all I love my management and my job. (b) (6), (b) (7)(C) explained (b) (6), (b) (7)(C) had been offered another job in the (b) (6), (b) (7)(C) days after (b) (6), (b) (7)(C) was hired at UPS and (b) (6), (b) (7)(C) decided to stay at UPS. (b) (6), (b) (7)(C) said if I didn't like it here I would have left. I asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) had been put in the unload when (b) (6), (b) (7)(C) was first hired. (b) (6), (b) (7)(C) replied yes I was. I was asked by the (b) (6), (b) (7)(C) where I thought I could see myself working. I replied I would like to go to the (b) (6), (b) (7)(C) going to the (b) (6), (b) (7)(C) was my choice. I did have an incident where I was feeling sick because I did not get enough water. (b) (6), (b) (7)(C) took me out of the unload. I was given water and taken to the office to cool off. My management team help me out I should have drank more water. I now bring in my water. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) knows exactly how much water (b) (6), (b) (7)(C) needs now so that (b) (6), (b) (7)(C) does not dehydrate. (b) (6), (b) (7)(C) asked why I was asking (b) (6), (b) (7)(C) all these questions and I explained that a concern came in. (b) (6), (b) (7)(C) replied did (b) (6), (b) (7)(C) call in the concern. I replied yes. (b) (6), (b) (7)(C) was upset (b) (6), (b) (7)(C) said that if (b) (6), (b) (7)(C) had an issue with the company that (b) (6), (b) (7)(C) could handle it. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) enjoyed working at UPS and loved (b) (6), (b) (7)(C) management team. I asked (b) (6), (b) (7)(C) if anyone ever mentioned to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) might not be able to do (b) (6), (b) (7)(C) job because of (b) (6), (b) (7)(C) size and (b) (6), (b) (7)(C) replied I know I'm a (b) (6), (b) (7)(C) but no one ever said I could not do the job. (b) (6), (b) (7)(C) also mentioned that (b) (6), (b) (7)(C) came up to (b) (6), (b) (7)(C) when (b) (6), (b) (7)(C) first started and said to (b) (6), (b) (7)(C) I have a lawyer if you want the number I can give it to you, I replied I don't need a lawyer. (b) (6), (b) (7)(C) wrote a statement. (b) (6), (b) (7)(C), Hourly Hire Date: (b) (6), (b) (7)(C) has been with the company going on (b) (6), (b) (7)(C) years. (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) has not been discriminated. I asked (b) (6), (b) (7)(C) about favoritism in the company. (b) (6), (b) (7)(C) replied favoritism is in a every job does not matter where you work for UPS or any other company. (b) (6), (b) (7)(C) would not say if see saw it at UPS. I am the (b) (6), (b) (7)(C). I work everyone here. I make sure people are informed on (b) (6), (b) (7)(C) issues ect. I asked (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) remember a (b) (6), (b) (7)(C) employee having issues while working with the heat. (b) (6), (b) (7)(C) said yes about a week ago we had a (b) (6), (b) (7)(C) who was not feeling well. (b) (6), (b) (7)(C) name is (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) explained that the (b) (6), (b) (7)(C) was made aware of the situation and took care of the employee. (b) (6), (b) (7)(C) also stated that later that day (b) (6), (b) (7)(C) overheard a coworker commenting on the (b) (6), (b) (7)(C) s (b) (6), (b) (7)(C) also about (b) (6), (b) (7)(C). I asked who was the coworker</p>

(b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) I stated to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) did not know all the facts and that there was more to the story. (b) (6), (b) (7)(C) yelled at me and said mind your own business... I'm not talking to you. (b) (6), (b) (7)(C) was actually the one who said that the employee was (b) (6), (b) (7)(C) and in (b) (6), (b) (7)(C) no one else ever brought up (b) (6), (b) (7)(C). I was called by my union rep and I told them what happened. (b) (6), (b) (7)(C)'s opinion is that when (b) (6), (b) (7)(C) does not get (b) (6), (b) (7)(C) way (b) (6), (b) (7)(C) tries to start a conflict with management or with employees. (b) (6), (b) (7)(C) also stated that since (b) (6), (b) (7)(C) arrived in (b) (6), (b) (7)(C) has created havoc always screaming at the top of (b) (6), (b) (7)(C) lungs. (b) (6), (b) (7)(C) gave a statement of the incident with (b) (6), (b) (7)(C), hourly Hire Date: (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) works well with (b) (6), (b) (7)(C) coworkers has never had issues with management and has never felt discriminated against. I work in different positions throughout the sort. We all work well together. There is no favoritism in our work area. (b) (6), (b) (7)(C) Hourly Hire Date: (b) (6), (b) (7)(C) has been with the company for almost (b) (6), (b) (7)(C) is wanting to go driving so that (b) (6), (b) (7)(C) can give (b) (6), (b) (7)(C) family a better life. I have not had any issue with my coworkers or management. (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) gave a statement that during the time (b) (6), (b) (7)(C) was assigning people to the sort (b) (6), (b) (7)(C) both wanted to go to the unload. (b) (6), (b) (7)(C) asked if they were volunteering to go to the unload they both replied yes. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) felt claustrophobic being in the package cars. (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) had 3 open positions on the unload so (b) (6), (b) (7)(C) assigned both them to the unload. (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) Reviewed the concern with (b) (6), (b) (7)(C) who was shock that a concern was reported on discrimination. (b) (6), (b) (7)(C) said I'm a (b) (6), (b) (7)(C) and I would never discriminate against anyone. I have a good working relationship with all my employees. I have had issues with one employee (b) (6), (b) (7)(C) is always trying to listen in on other people conversations and if (b) (6), (b) (7)(C) hears something (b) (6), (b) (7)(C) thinks is wrong with out know the whole story (b) (6), (b) (7)(C) starts to say things like I'm wrong and tells the employee not to listen to me. (b) (6), (b) (7)(C) causes a lot of issues on the sort. Employees tell me they do not want to work with (b) (6), (b) (7)(C) because they never know what (b) (6), (b) (7)(C) is going to do or say about them. (b) (6), (b) (7)(C) also explained that (b) (6), (b) (7)(C) was made aware of (b) (6), (b) (7)(C) not feeling well so (b) (6), (b) (7)(C) brought (b) (6), (b) (7)(C) down from the sort aisle to make sure (b) (6), (b) (7)(C) was alright. I gave (b) (6), (b) (7)(C) water made sure (b) (6), (b) (7)(C) had plenty of cold water. I took (b) (6), (b) (7)(C) to the office so that (b) (6), (b) (7)(C) could cool off and speak to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) Reviewed concern with (b) (6), (b) (7)(C) who explained that (b) (6), (b) (7)(C) was covering for (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) I was not part of the situation with the employee who was feeling ill. All I saw was (b) (6), (b) (7)(C) speaking in the office. I also so saw (b) (6), (b) (7)(C) sitting in the office. I put the equipment away and went to go finish my work. Issue (b) (6), (b) (7)(C) said, upon (b) (6), (b) (7)(C) arrival, (b) (6), (b) (7)(C) announced, via the intercom, "I'm not nice. I'm an asshole." Since then, (b) (6), (b) (7)(C) has withheld water from the employees because (b) (6), (b) (7)(C) has claimed the employees have "wasted water." (b) (6), (b) (7)(C) noted (b) (6), (b) (7)(C) filed an (b) (6), (b) (7)(C) complaint because (b) (6), (b) (7)(C) has experienced retaliation from (b) (6), (b) (7)(C) and management for a previous hotline report, which (b) (6), (b) (7)(C) also reported to the hotline without resolution. (b) (6), (b) (7)(C) requested for this report to be withheld from (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) because they are named in (b) (6), (b) (7)(C) complaint. Response (b) (6), (b) (7)(C) Date: (b) (6), (b) (7)(C) Reviewed concern with (b) (6), (b) (7)(C) and asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) had heard (b) (6), (b) (7)(C) make a comment on an intercom that (b) (6), (b) (7)(C) was not a nice (b) (6), (b) (7)(C) but and asshole. (b) (6), (b) (7)(C) replied no (b) (6), (b) (7)(C) did not say that (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) was from (b) (6), (b) (7)(C) and that (b) (6), (b) (7)(C) was the (b) (6), (b) (7)(C) did say (b) (6), (b) (7)(C) did not appreciate (b) (6), (b) (7)(C) bringing politics into the workforce. (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) has not heard (b) (6), (b) (7)(C) use the word asshole or curse for that matter. I don't have anything else to say about (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) I can't say (b) (6), (b) (7)(C) has said the word asshole but (b) (6), (b) (7)(C) did mention (b) (6), (b) (7)(C) was from (b) (6), (b) (7)(C) and is the (b) (6), (b) (7)(C). I guess (b) (6), (b) (7)(C) letting us know (b) (6), (b) (7)(C) that's what I thought. (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) I heard (b) (6), (b) (7)(C) say (b) (6), (b) (7)(C) was from (b) (6), (b) (7)(C) and that (b) (6), (b) (7)(C) is the (b) (6), (b) (7)(C) but I never heard (b) (6), (b) (7)(C) say the word asshole. (b) (6), (b) (7)(C) Hire Date: (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) was at the PCM when (b) (6), (b) (7)(C) had just arrived from (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) did say (b) (6), (b) (7)(C) had a different style from (b) (6), (b) (7)(C) and that things would be different moving forward. When (b) (6), (b) (7)(C) mentioned (b) (6), (b) (7)(C) was from (b) (6), (b) (7)(C) all (b) (6), (b) (7)(C) started say awe you (b) (6), (b) (7)(C) people and this is when (b) (6), (b) (7)(C) said I'm not that (b) (6), (b) (7)(C) I'm the (b) (6), (b) (7)(C) in the red dot in the middle. I have not heard (b) (6), (b) (7)(C) use the word asshole or any curse words. (b) (6), (b) (7)(C) Reviewed concern with (b) (6), (b) (7)(C) on discrimination (b) (6), (b) (7)(C) replied that all employees are treated the same (b) (6), (b) (7)(C) has certain expectations from (b) (6), (b) (7)(C) management team and (b) (6), (b) (7)(C) hourly employees. (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) will hold people accountable and that (b) (6), (b) (7)(C) has had some people not like (b) (6), (b) (7)(C) style of management but (b) (6), (b) (7)(C) is not breaking any policies. (b) (6), (b) (7)(C) explained what had happen with (b) (6), (b) (7)(C) as far as (b) (6), (b) (7)(C) feeling light headed because of the heat (b) (6), (b) (7)(C) was brought in the office to cool down and to make sure (b) (6), (b) (7)(C) was ok. (b) (6), (b) (7)(C) had no issues (b) (6), (b) (7)(C) felt that (b) (6), (b) (7)(C) should have drank more water and understood the importance of staying hydrated. (b) (6), (b) (7)(C) seemed find and came in the next day and was doing well. (b) (6), (b) (7)(C) also mentioned that at one time the company did order pallets of water but that everyone was asked to cut cost so (b) (6), (b) (7)(C) order water but not as much. (b) (6), (b) (7)(C) would also notice that employees would take more water then needed so this was another issue (b) (6), (b) (7)(C) had with the way water was being abused. (b) (6), (b) (7)(C) said that they try to give everyone water jugs but at times they run out and have to reorder but all employees are told to bring in their own water bottles to refill in the building (b) (6), (b) (7)(C) also said that they do have ice so that the employees can have cold water. I asked (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) saying that (b) (6), (b) (7)(C) was a (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) explained (b) (6), (b) (7)(C) did say that because people were saying awe your from (b) (6), (b) (7)(C) kind of making fun of me. I didn't take it personally and I didn't think I had offered any one by say that.

Did your investigation support the allegations?	No
Was coaching/counseling or corrective action taken?	No
If so, what?	
What follow up too place with the employee who raised the concern?	(b) (6), (b) (7)(C) called (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) to make (b) (6), (b) (7)(C) aware that (b) (6), (b) (7)(C) concern was assigned to (b) (6), (b) (7)(C). Spoke to (b) (6), (b) (7)(C)-18 to review concern and Reviewed outcome with (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C)-18
When did the follow up communication take place?	(b) (6), (b) (7)(C)/2018
Does the employee feel his/her concern has been resolved?	No
Was the no retaliation policy reviewed with everyone involved in the investigation?	Yes
If No, please provide reason:	(b) (6), (b) (7)(C) feels that employees are scared to speak out and felt everyone was not telling the truth
Is this case late?	NO

If late investigation, please provide reason:	
How many hours were spent investigating his incident?	10
Was the case re-opened?	
If yes, provide an explanation for the re-open status	
Investigation Status (Submit for Review and Closure)	District Responded
<b>Employee Information</b>	
Anonymous?	
Reporter Relationship to UPS	(b) (6), (b) (7)(C)
Please provide title:	(b) (6), (b) (7)(C)
Employee ID Number:	(b) (6), (b) (7)(C)
Employee Telephone Number	
Union or Non-Union?	
Are your allegation a violation of the Collective Bargaining Agreement (CBA)?	
Have you filed a grievance on the violation?	
Is your grievance resolved?	
<b>Online Pharmacy Information</b>	
Was Management notified?	
Pickup or Delivery?	
In or destined for U.S.?	
How many packages?	
Shipper number of the account?	
Tracking # of the package?	
Address of the pickup or delivery concern?	
Name and address package shipper?	
Name/ delivery address on the package?	
Actual name of the attempted shipper or consignee?	

Additional relevant information:	
Red Flag	
Was the issue reported to law enforcement?	

Case Types

Case Class	Case Type	Description	Case Sub Type	Case Sub Type Description	Date Applied
Employee Fair Treatment	Harassment	Any allegation of an ongoing pattern of interpersonal conduct directed toward and unwelcomed by its recipients. This category could also describe "person to person" conduct in which one person feels unreasonably targeted or "singled out" by someone else in the workplace. It may also include "performance related" conduct when an employee alleges he/she has been repeatedly and unreasonably confronted about work performance. An allegation of aggressive or disrespectful behavior may be categorized as "Professionalism" if the allegation cites an isolated incident rather than an ongoing pattern of targeted behavior.	(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C) 7:43:14 PM

Events

Status	Priority	Risk	Event#	Date	Event Type(s)	Location(s)	Origin	Entry Method
Closed	3		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) 2018	Health and Safety	UPS Help Line	Phone	TNW
Report:	(b) (6), (b) (7)(C)							
Description:	On (b) (6), (b) (7)(C), 2018, the (b) (6), (b) (7)(C) employees scanned the packages while the (b) (6), (b) (7)(C) employees unloaded the packages. However, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) assigned an (b) (6), (b) (7)(C) employee in (b) (6), (b) (7)(C) who is a (b) (6), (b) (7)(C) employee, to work with the (b) (6), (b) (7)(C) employees unloading packages, and the employee nearly fainted from the heat because the employee had no water. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) has not permitted the employees to have water handy. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should not have taken away the water, and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was unaware the (b) (6), (b) (7)(C) employees did not receive reusable water bottles as the other employees received to fill from the water fountain at the front of the location. Additionally, there were some (b) (6), (b) (7)(C) employees scanning packages, and (b) (6), (b) (7)(C) views the issue as (b) (6), (b) (7)(C) discriminatory. (b) (6), (b) (7)(C) believes the employee was (b) (6), (b) (7)(C) resolution. (b) (6), (b) (7)(C) requested for this report to be withheld from (b) (6), (b) (7)(C) because they are named in (b) (6), (b) (7)(C) complaint.							

Involved Parties

Type	First Name	Middle	Last Name	Title	Description	Outcome	Disposition	Resolution Notes
Aware/Involved	(b) (6), (b) (7)(C)							
Aware/Involved								
Aware/Involved								
Aware/Involved								
Reported								
Reported								
Reported								
Reporter								

Locations

Status	Name	Company	Address	City	State	Country
Active	0312-WEST REGION:RED RIVER		116 Old Settlers Blvd	GEORGETOWN	TEXAS	UNITED STATES

People on this case

First Name	Last Name	Role
(b) (6), (b) (7)(C)		

Related links

No Results

Resolution Info

Outcome	Disposition	Notes
Unsubstantiated		

Associated cases

Case Number
(b) (6), (b) (7)(C)



## Case Summary

Privacy Level:	Normal
Status:	Pending
Risk:	
Priority:	3
Due Date:	(b) (6), (b) (7)(C)/2018
Summary:	**possible HL retaliation - must be investigated or reviewed by (b) (6), (b) (7)(C) would not let (b) (6), (b) (7)(C) go home early. (b) (6), (b) (7)(C) had no reason as to why (b) (6), (b) (7)(C) could not leave early. (b) (6), (b) (7)(C) is retaliating against (b) (6), (b) (7)(C) for previous reports that were made.

## Case Description

On (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) sent some new-hire employees home early. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) could go home before those employees, and (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) could not. (b) (6), (b) (7)(C) had no reason as to why (b) (6), (b) (7)(C) could not go home early. (b) (6), (b) (7)(C) has more seniority and another job, but (b) (6), (b) (7)(C) did not care. As (b) (6), (b) (7)(C) was walking off, (b) (6), (b) (7)(C) tried to get (b) (6), (b) (7)(C) attention. (b) (6), (b) (7)(C) yelled to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) is not going home early, and (b) (6), (b) (7)(C) ignored (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) walked away. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) will have to file a grievance if (b) (6), (b) (7)(C) is not allowed to leave early, which caused (b) (6), (b) (7)(C) to walk back and ask (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) problem is. As the conversation escalated, (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) wanted to get (b) (6), (b) (7)(C) if they were going to speak further. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) would not do anything. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) "If you don't like working here, then I'll stick you over there to load the truck." (b) (6), (b) (7)(C) witnessed this incident. (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) about this afterwards, and (b) (6), (b) (7)(C) intends to speak with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) is upset because human resources from another district came in to investigate previous reports that (b) (6), (b) (7)(C) had made through the hotline. (b) (6), (b) (7)(C) did not have the report number at the time of call. (b) (6), (b) (7)(C) is retaliating against (b) (6), (b) (7)(C) due to those reports.

## Investigative Information

Investigative Information	
Report Source	Help Line
Case Category	Allegation
Who investigated the incident?	(b) (6), (b) (7)(C)
Who reviewed the case?	(b) (6), (b) (7)(C)
Describe and respond to each issue raised by the employee (Issue/Response Format):	<p>Issue: On (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) sent some new-hire employees home early. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) could go home before those employees, and (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) could not. (b) (6), (b) (7)(C) had no reason as to why (b) (6), (b) (7)(C) could not go home early. (b) (6), (b) (7)(C) has more seniority and another job, but (b) (6), (b) (7)(C) did not care. As (b) (6), (b) (7)(C) was walking off, (b) (6), (b) (7)(C) tried to get (b) (6), (b) (7)(C) attention. Response: (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was sending employees with less seniority then (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) want to go home and (b) (6), (b) (7)(C) responded that (b) (6), (b) (7)(C) had to let new hires go home. (b) (6), (b) (7)(C) was upset because (b) (6), (b) (7)(C) should have gone home before the new hires and (b) (6), (b) (7)(C) was not listening to (b) (6), (b) (7)(C) and kept walking. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had witnesses. Issue: (b) (6), (b) (7)(C) yelled to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) is not going home early, and (b) (6), (b) (7)(C) ignored (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) walked away. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) will have to file a grievance if (b) (6), (b) (7)(C) is not allowed to leave early, which caused (b) (6), (b) (7)(C) to walk back and ask (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) problem is. As the conversation escalated, (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) wanted to get (b) (6), (b) (7)(C) if they were going to speak further. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) would not do anything. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) "If you don't like working here, then I'll stick you over there to load the truck." (b) (6), (b) (7)(C) witnessed this incident. (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) about this afterwards, and (b) (6), (b) (7)(C) intends to speak with (b) (6), (b) (7)(C). Response: (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was sending new hires when (b) (6), (b) (7)(C) pulled (b) (6), (b) (7)(C) over and said you do not have to go home if you don't want. I have more seniority then you. (b) (6), (b) (7)(C) followed (b) (6), (b) (7)(C) saying I have more seniority should go home. When I saw that I clocked out because it was not my business. I saw them talking it seem as they were arguing but could not hear what as being said. Response: (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had told new hires to go home which included (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) had been with the company (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) could go home because (b) (6), (b) (7)(C) had more seniority. (b) (6), (b) (7)(C) repeated and said new hires go home at that time (b) (6), (b) (7)(C) followed (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) was walking off. I left after (b) (6), (b) (7)(C) said to go home. I did not see or hear them have any conversation. Response: (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was finishing up the day and was tapping up irregs. (b) (6), (b) (7)(C) started sending new hires home. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) could go home (b) (6), (b) (7)(C) replied I have to send new people home first. (b) (6), (b) (7)(C) was not sure if it was common practice to send new hires home. (b) (6), (b) (7)(C) responded F _ _ K IT im going home and gathered (b) (6), (b) (7)(C) stuff walking out. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were having a heated discussion. (b) (6), (b) (7)(C) could not hear what was being said between them. (b) (6), (b) (7)(C) came up to (b) (6), (b) (7)(C) to tell (b) (6), (b) (7)(C) what had happened between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) what had happen between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) said I don't know I could not hear what they were saying to each other. (b) (6), (b) (7)(C) stated that after (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) was outside speaking with coworkers when (b) (6), (b) (7)(C) in a stern voice said to (b) (6), (b) (7)(C) COME HERE. (b) (6), (b) (7)(C) stared speaking loud to me saying I was spineless because I did not tell (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) had said to (b) (6), (b) (7)(C). I explained to (b) (6), (b) (7)(C) I can't lie. I could not hear a word of your conversation. (b) (6), (b) (7)(C) called me a back stabber and a snake. (b) (6), (b) (7)(C) was speaking so loud that security asked me if (b) (6), (b) (7)(C) was harassing me. (b) (6), (b) (7)(C) is the type of person when you get (b) (6), (b) (7)(C) mad at you (b) (6), (b) (7)(C) mean muggs you (looks at you ugly). No one wants to deal with (b) (6), (b) (7)(C) is drama. (b) (6), (b) (7)(C) also said (b) (6), (b) (7)(C) has more seniority then (b) (6), (b) (7)(C) so (b) (6), (b) (7)(C) wouldn't have been able to go home. Response: (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was upset because (b) (6), (b) (7)(C) sent new hires home. I explained to (b) (6), (b) (7)(C) could file a grievance bit that it would not go anywhere because the employee being sent home had not been with the company (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) also wanted me to talk to the employees who were there. I spoke to (b) (6), (b) (7)(C) who said (b) (6), (b) (7)(C) could not hear what (b) (6), (b) (7)(C) was saying to (b) (6), (b) (7)(C) so (b) (6), (b) (7)(C) could not lie that what (b) (6), (b) (7)(C) was saying was true. (b) (6), (b) (7)(C) said no one heard (b) (6), (b) (7)(C) saying the things (b) (6), (b) (7)(C) was claiming (b) (6), (b) (7)(C) said. (b) (6), (b) (7)(C) was very upset and told (b) (6), (b) (7)(C) I do not want to talk to any more. (b) (6), (b) (7)(C) is upset because human resources from another district came in to investigate previous reports that (b) (6), (b) (7)(C) had made through the hotline. (b) (6), (b) (7)(C) did not have</p>

	the report number at the time of call. (b) (6), (b) (7)(C) is retaliating against (b) (6), (b) (7)(C) due to those reports. Response: (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did instruct new hires to go home and (b) (6), (b) (7)(C) shouted to me (b) (6), (b) (7)(C) wanted to go home because (b) (6), (b) (7)(C) had more seniority. (b) (6), (b) (7)(C) continued to say in a loud voice you re not going to let me go home. . I said (b) (6), (b) (7)(C) clock out and go home. (b) (6), (b) (7)(C) grabbed (b) (6), (b) (7)(C) things and left . The incident took no more than 1 minute. (b) (6), (b) (7)(C) has stated that I am retaliating against (b) (6), (b) (7)(C) because of a complaint (b) (6), (b) (7)(C) called in. I have no knowledge of this complaint or who (b) (6), (b) (7)(C) complaint to. I treat my employees with respect
Did your investigation support the allegations?	No
Was coaching/counseling or corrective action taken?	No
If so, what?	
What follow up too place with the employee who raised the concern?	Spoke to (b) (6), (b) (7)(C) to make (b) (6), (b) (7)(C) aware that (b) (6), (b) (7)(C) concern was being investigated (b) (6), (b) (7)(C) -18. Called (b) (6), (b) (7)(C) to review out come of concern
When did the follow up communication take place?	(b) (6), (b) (7)(C) /2018
Does the employee feel his/her concern has been resolved?	No
Was the no retaliation policy reviewed with everyone involved in the investigation?	Yes
If No, please provide reason:	Employee feels no one is telling the truth and do not want to say the truth
Is this case late?	NO
If late investigation, please provide reason:	
How many hours were spent investigating his incident?	4
Was the case re-opened?	
If yes, provide an explanation for the re-open status	
Investigation Status (Submit for Review and Closure)	District Responded
<b>Employee Information</b>	
Anonymous?	
Reporter Relationship to UPS	(b) (6), (b) (7)(C)
Please provide title:	(b) (6), (b) (7)(C)
Employee ID Number:	(b) (6), (b) (7)(C)
Employee Telephone Number	
Union or Non-Union?	
Are your allegations a violation of the Collective Bargaining Agreement (CBA)?	

Have you filed a grievance on the violation?	
Is your grievance resolved?	
<b>Online Pharmacy Information</b>	
Was Management notified?	
Pickup or Delivery?	
In or destined for U.S.?	
How many packages?	
Shipper number of the account?	
Tracking # of the package?	
Address of the pickup or delivery concern?	
Name and address package shipper?	
Name/ delivery address on the package?	
Actual name of the attempted shipper or consignee?	
Additional relevant information:	
Red Flag	
Was the issue reported to law enforcement?	

## Case Types

Case Class	Case Type	Description	Case Sub Type	Case Sub Type Description	Date Applied
Employee Fair Treatment	Retaliation		Resulting from Help Line report		(b) (6)/2018 12:30:38 PM

## Events

Status	Priority	Risk	Event#	Date	Event Type(s)	Location(s)	Origin	Entry Method
Closed	3		(b) (6), (b) (7)(C)	(b) (6)/2018 (b) (6), (b) (7)(C)	Retaliation	UPS Help Line	Phone	TNW
Report:	(b) (6), (b) (7)(C)							
Description:	<p>On (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) sent some new-hire employees home early. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) could go home before those employees, and (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) could not. (b) (6), (b) (7)(C) had no reason as to why (b) (6), (b) (7)(C) could not go home early. (b) (6), (b) (7)(C) has more seniority and another job, but (b) (6), (b) (7)(C) did not care. As (b) (6), (b) (7)(C) was walking off, (b) (6), (b) (7)(C) tried to get (b) (6), (b) (7)(C) attention. (b) (6), (b) (7)(C) yelled to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) is not going home early, and (b) (6), (b) (7)(C) ignored (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) walked away. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) will have to file a grievance if (b) (6), (b) (7)(C) is not allowed to leave early, which caused (b) (6), (b) (7)(C) to walk back and ask (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) problem is. As the conversation escalated, (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) wanted to get (b) (6), (b) (7)(C) if they were going to speak further. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) would not do anything. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) "If you don't like working here, then I'll stick you over there to load the truck." (b) (6), (b) (7)(C) witnessed this incident. (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) about this afterwards, and (b) (6), (b) (7)(C) intends to speak with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) is upset because human resources from another district came in to investigate previous reports that (b) (6), (b) (7)(C) had made through the hotline. (b) (6), (b) (7)(C) did not have the report number at the time of call. (b) (6), (b) (7)(C) is retaliating against (b) (6), (b) (7)(C) due to those reports.</p>							

## Involved Parties

Type	First Name	Middle	Last Name	Title	Description	Outcome	Disposition	Resolution Notes
(b) (6), (b) (7)(C)								

Locations

Status	Name	Company	Address	City	State	Country
Active	0312-WEST REGION:RED RIVER		116 Old Settlers Blvd	GEORGETOWN	TEXAS	UNITED STATES

People on this case

First Name	Last Name	Role
(b) (6), (b) (7)(C)		

Related links

No Results

Resolution Info

Outcome	Disposition	Notes
Unsubstantiated		

Associated cases

Case Number
(b) (6), (b) (7)(C)

## Case Summary

Privacy Level:	Normal
Status:	Corporate Approved
Risk:	
Priority:	2
Due Date:	(b) (6), (b) (7)(C)/2018
Summary:	**Code 2 Call - Assigned to HR/Security - Please provide update within 24 Hours*** (b) (6), (b) (7)(C) is reporting (b) (6), (b) (7)(C) (last name unknown) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) pinned (b) (6), (b) (7)(C) to the wall chest to chest and struck (b) (6), (b) (7)(C) in front of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) denied seeing the assault.

## Case Description

On (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were involved in a confrontation. (b) (6), (b) (7)(C) was late for work and pushed (b) (6), (b) (7)(C) out of the way while (b) (6), (b) (7)(C) was signing up for a job on the job board. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to wait until (b) (6), (b) (7)(C) was finished at the board, but (b) (6), (b) (7)(C) said, Fuck this shit. (b) (6), (b) (7)(C) then placed (b) (6), (b) (7)(C) elbow in (b) (6), (b) (7)(C) s chest and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) was present during this altercation, and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) for support. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to direct (b) (6), (b) (7)(C) to move. (b) (6), (b) (7)(C) then pinned (b) (6), (b) (7)(C) to the wall chest to chest saying, Hit me, hit me, I dare you to hit me! I want you to touch me, please hit me. (b) (6), (b) (7)(C) continued to plead with (b) (6), (b) (7)(C) to intervene. (b) (6), (b) (7)(C) watched the ordeal saying, (b) (6), (b) (7)(C) move, get out of (b) (6), (b) (7)(C) face. By this time (b) (6), (b) (7)(C) was close enough to kiss (b) (6), (b) (7)(C). So (b) (6), (b) (7)(C) while holding (b) (6), (b) (7)(C) pen, put (b) (6), (b) (7)(C) hand up for defense. (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) again, who directed the two into the supervisor s office. (b) (6), (b) (7)(C) inquired with (b) (6), (b) (7)(C) about what happened. Initially, (b) (6), (b) (7)(C) denied seeing any of the incident, but later stated (b) (6), (b) (7)(C) was present, but refused to admit (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). Instead, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) shaking a pen in (b) (6), (b) (7)(C) s face. (b) (6), (b) (7)(C) and several others witnessed the event. These 3 are willing to provide written statements of the incident. (b) (6), (b) (7)(C) has stated (b) (6), (b) (7)(C) would conduct an investigation after (b) (6), (b) (7)(C) receives the reports. (b) (6), (b) (7)(C) is concerned because (b) (6), (b) (7)(C) was assaulted at work in the presence of a (b) (6), (b) (7)(C) who (b) (6), (b) (7)(C) called on for help, yet the (b) (6), (b) (7)(C) initially denied being a witness. (b) (6), (b) (7)(C) is sure (b) (6), (b) (7)(C) is trying to protect (b) (6), (b) (7)(C) job.
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## Investigative Information

Investigative Information	
Report Source	Help Line
Case Category	Allegation
Who investigated the incident?	(b) (6), (b) (7)(C)
Who reviewed the case?	(b) (6), (b) (7)(C)
Describe and respond to each issue raised by the employee (Issue/Response Format):	<p>Issue: On (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were involved in a confrontation. (b) (6), (b) (7)(C) was late for work and pushed (b) (6), (b) (7)(C) out of the way while (b) (6), (b) (7)(C) was signing up for a job on the job board. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to wait until (b) (6), (b) (7)(C) was finished at the board, but (b) (6), (b) (7)(C) said, Fuck this shit. (b) (6), (b) (7)(C) then placed (b) (6), (b) (7)(C) elbow in (b) (6), (b) (7)(C) s chest and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) was present during this altercation, and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) for support. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to direct (b) (6), (b) (7)(C) to move. (b) (6), (b) (7)(C) then pinned (b) (6), (b) (7)(C) to the wall chest to chest saying, Hit me, hit me, I dare you to hit me! I want you to touch me, please hit me. (b) (6), (b) (7)(C) continued to plead with (b) (6), (b) (7)(C) to intervene. (b) (6), (b) (7)(C) watched the ordeal saying, (b) (6), (b) (7)(C) move, get out of (b) (6), (b) (7)(C) face. By this time (b) (6), (b) (7)(C) was close enough to kiss (b) (6), (b) (7)(C). So (b) (6), (b) (7)(C) while holding (b) (6), (b) (7)(C) pen, put (b) (6), (b) (7)(C) hand up for defense. (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) again, who directed the two into the supervisor s office. (b) (6), (b) (7)(C) inquired with (b) (6), (b) (7)(C) about what happened. Initially, (b) (6), (b) (7)(C) denied seeing any of the incident, but later stated (b) (6), (b) (7)(C) was present, but refused to admit (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). Instead, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) shaking a pen in (b) (6), (b) (7)(C) s face. (b) (6), (b) (7)(C) and several others witnessed the event. These 3 are willing to provide written statements of the incident. (b) (6), (b) (7)(C) has stated (b) (6), (b) (7)(C) would conduct an investigation after (b) (6), (b) (7)(C) receives the reports. (b) (6), (b) (7)(C) is concerned because (b) (6), (b) (7)(C) was assaulted at work in the presence of a (b) (6), (b) (7)(C) who (b) (6), (b) (7)(C) called on for help, yet the (b) (6), (b) (7)(C) initially denied being a witness. (b) (6), (b) (7)(C) is sure (b) (6), (b) (7)(C) is trying to protect (b) (6), (b) (7)(C) job.</p> <p>Response: (b) (6), (b) (7)(C) started the investigation on (b) (6), (b) (7)(C) by calling (b) (6), (b) (7)(C) and making sure (b) (6), (b) (7)(C) was ok. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) was and that (b) (6), (b) (7)(C) was looking forward to the formal face to face interview or (b) (6), (b) (7)(C) On (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) started to interview the witnesses listed by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) on what had transpired on (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was finishing up the belt walk when (b) (6), (b) (7)(C) heard a commotion over at the bid list board. (b) (6), (b) (7)(C) heard someone say, (b) (6), (b) (7)(C) you better get there. (b) (6), (b) (7)(C) walked over and saw (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) facing each other arguing in loud voices. There were other people all around them, and both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were yelling at each other. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) told them to back away when (b) (6), (b) (7)(C) heard (b) (6), (b) (7)(C) yell, (b) (6), (b) (7)(C) hit me, (b) (6), (b) (7)(C) hit me! (b) (6), (b) (7)(C) did not see any action from (b) (6), (b) (7)(C) that would constitute a motion to hit anyone. (b) (6), (b) (7)(C) says both were pointing at each other and emotions were very high. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had (b) (6), (b) (7)(C) pen against (b) (6), (b) (7)(C) chin and (b) (6), (b) (7)(C) was yelling at (b) (6), (b) (7)(C) to back off. (b) (6), (b) (7)(C) separated both of them and told them to follow (b) (6), (b) (7)(C) in to the office where the FT supervisors were. As soon as they walked in the office, (b) (6), (b) (7)(C) started yelling that (b) (6), (b) (7)(C) needed to be fired. (b) (6), (b) (7)(C) then interviewed (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) who was present during the event. (b) (6), (b) (7)(C) stated that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were yelling at each other and pointing at each other. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) pen or (b) (6), (b) (7)(C) chin and (b) (6), (b) (7)(C) made a shooing motion in front of (b) (6), (b) (7)(C) face to get the pen away from (b) (6), (b) (7)(C) chin, that is when (b) (6), (b) (7)(C) heard (b) (6), (b) (7)(C) yell that (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) did not see (b) (6), (b) (7)(C) make a hitting motion at (b) (6), (b) (7)(C). All (b) (6), (b) (7)(C) saw was (b) (6), (b) (7)(C) brush the pen away from (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) said both were being very unprofessional and that tensions were very high. (b) (6), (b) (7)(C) then interviewed (b) (6), (b) (7)(C) about the allegations. (b) (6), (b) (7)(C) confirmed that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were yelling at each other and in each others face. (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) point a pen at (b) (6), (b) (7)(C) face and (b) (6), (b) (7)(C) made a "fly swatting" motion to remove the pen from (b) (6), (b) (7)(C) chin. That is when (b) (6), (b) (7)(C) heard (b) (6), (b) (7)(C) scream, (b) (6), (b) (7)(C) hit me! (b) (6), (b) (7)(C) hit me. (b) (6), (b) (7)(C) did not see any contact made by (b) (6), (b) (7)(C) just saw (b) (6), (b) (7)(C) remove the pen from (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C).</p>



	<p>(b) (6), (b) (7) confirmed the statements from (b) (6), (b) (7)(C). (b) (6) did not see (b) (6), (b) (7) hit (b) (6), (b) (7) confirmed seeing (b) (6), (b) (7)(C) point a pen at (b) (6), (b) (7)(C) face and saw (b) (6), (b) (7) make a brushing motion in from of (b) (6) own face to get the pen away from (b) (6) face. That is when (b) (6) hear (b) (6), (b) (7) say that (b) (6) was hit by (b) (6), (b) (7)(C) who was watching the altercation, states (b) (6) did not see any contact to (b) (6), (b) (7) by (b) (6), (b) (7) when (b) (6), (b) (7) brushed the pen away from (b) (6) face. (b) (6), (b) (7) interviewed (b) (6), (b) (7)(C) employee (b) (6), (b) (7)(C) about the events (b) (6), (b) (7)(C) states (b) (6), (b) (7) was right in from of both (b) (6), (b) (7) and (b) (6), (b) (7) and was watching the whole altercation. (b) (6), (b) (7) confirmed that both were being very loud yelling at each other and that they were face to face arguing. Both were being very unprofessional. At one point (b) (6), (b) (7)(C) watched as (b) (6), (b) (7) pointed a pen in (b) (6), (b) (7)(C) face, the pen made contact with (b) (6), (b) (7)(C) chin and (b) (6), (b) (7) left the pen there. (b) (6), (b) (7) cocked (b) (6), (b) (7) head back and made a brushing motion in front of (b) (6) face to remove the pen that was touching (b) (6), (b) (7) chin. (b) (6), (b) (7)(C) thinks that maybe (b) (6), (b) (7)(C) forearm may have touched (b) (6), (b) (7) hand that was holding the pen, but (b) (6), (b) (7) is not sure, everthing happened very fast. (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) stated that there were about 8 employees bunched around the bid list board waiting to sign the bid list. (b) (6), (b) (7) was signing bid lists and taking over the whole board. (b) (6), (b) (7) tried to get to the side to start on 1 end and (b) (6), (b) (7) blocked (b) (6), (b) (7) and told (b) (6), (b) (7) to please wait (b) (6), (b) (7) turn. (b) (6), (b) (7) stepped back and waited for a few seconds. (b) (6), (b) (7) moved on to one side of the board so (b) (6), (b) (7) moved into the opposite side to start signing again. (b) (6), (b) (7) then moved to block (b) (6), (b) (7) again and started telling (b) (6), (b) (7) to back off and got in (b) (6), (b) (7)(C) face. (b) (6), (b) (7) stated (b) (6), (b) (7) was "fed up" with the attitude (b) (6), (b) (7) was having and decided to not back down when (b) (6), (b) (7) got in (b) (6), (b) (7) face. This is when both of them started yelling at each other and pointing at each other. (b) (6), (b) (7) felt something touch (b) (6), (b) (7) chin so (b) (6), (b) (7) cocked (b) (6), (b) (7) head back and made a showing motion with (b) (6), (b) (7) arm in front f (b) (6), (b) (7) face to get whatever was touching (b) (6), (b) (7) chin away from (b) (6), (b) (7) face. (b) (6), (b) (7) stated (b) (6), (b) (7) did not hit (b) (6), (b) (7) in any way. (b) (6), (b) (7) may have brushed a pen with (b) (6), (b) (7) forearm in from of (b) (6), (b) (7) face, but did not touch (b) (6), (b) (7) in any way. (b) (6), (b) (7) started screaming "(b) (6), (b) (7) hit me" "(b) (6), (b) (7) hit me". At no time did (b) (6), (b) (7) touch (b) (6), (b) (7) touch (b) (6), (b) (7) also denies ever "pinning" (b) (6), (b) (7) to the wall. (b) (6), (b) (7) does confirm both (b) (6), (b) (7) and (b) (6), (b) (7) were face to face screaming at each other. (b) (6), (b) (7) spoke with (b) (6), (b) (7) once more to confirm the statements that were called in to help line. (b) (6), (b) (7) said to (b) (6), (b) (7) that there are some things that (b) (6), (b) (7) cant remember due to the fact that (b) (6), (b) (7) was still trying to process everything that had happened. The event happened in 1-2 minutes and there was so much going on that it was all jumbled. (b) (6), (b) (7) claims that (b) (6), (b) (7) took a swing at (b) (6), (b) (7) and hit (b) (6), (b) (7) in the face. (b) (6), (b) (7) does admit that both (b) (6), (b) (7) and (b) (6), (b) (7) were at each others face. Security reviewed video footage of the area, but the area where all the altercation happened is out of range and there is nothing to be seen. After gathering all of the statements, the determination was that both (b) (6), (b) (7) and (b) (6), (b) (7) had violated the UPS professional code of conduct. The determination that (b) (6), (b) (7) hit (b) (6), (b) (7) could not be supported by the facts from witnesses.</p>
Did your investigation support the allegations?	Yes
Was coaching/counseling or corrective action taken?	Yes
If so, what?	Labor department was consulted on these events and both (b) (6), (b) (7) and (b) (6), (b) (7) were issued warning letters for violation of UPS policy.
What follow up too place with the employee who raised the co cern	(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) called (b) (6), (b) (7) to see if (b) (6), (b) (7) was ok, we also told (b) (6), (b) (7) we were investigating the claims and would be meeting with (b) (6), (b) (7) and the witnesses tomorrow. (b) (6), (b) (7) stated (b) (6), (b) (7) was ok and was looking forward to speaking with us on Thursday morning. on Thursday (b) (6), (b) (7) Security and HR interviewed (b) (6), (b) (7) and witnesses that were present during the alleged altercation. (b) (6), (b) (7) has filed a police report with the Round Rock Police Department on (b) (6), (b) (7)(C) (b) (6), (b) (7) followed up with (b) (6), (b) (7) on the (b) (6), (b) (7)(C) to let (b) (6), (b) (7) know of the results of the investigation and that the physical contact could not be substantiated.
When did the follow up communication take place?	(b) (6), (b) (7)/2018
Does the employee feel his/her concern has been resolved?	No
Was the no retaliation policy reviewed with everyone involved n the investigation?	Yes
If No, please provide reason:	
Is this case late?	NO
If late investigation, please provide reason:	
How many hours were spent investigating his incident?	12
Was the case re-opened?	No
If yes, provide an explanation for the re-open status	
Investigation Status (Submit for Review and Closure)	District Responded
Employee Information	

Anonymous?	No
Reporter Relationship to UPS	(b) (6), (b) (7)(C)
Please provide title:	(b) (6), (b) (7)(C)
Employee ID Number:	(b) (6), (b) (7)(C)
Employee Telephone Number	(b) (6), (b) (7)(C)
Union or Non-Union?	Union
Are your allegation a violation of the Collective Bargaining Agreement (CBA)?	No
Have you filed a grievance on the violation?	No
Is your grievance resolved?	
<b>Online Pharmacy Information</b>	
Was Management notified?	
Pickup or Delivery?	
In or destined for U.S.?	
How many packages?	
Shipper number of the account?	
Tracking # of the package?	
Address of the pickup or delivery concern?	
Name and address package shipper?	
Name/ delivery address on the package?	
Actual name of the attempted shipper or consignee?	
Additional relevant information:	
Red Flag	
Was the issue reported to law enforcement?	

Case Types

Case Class	Case Type	Description	Case Sub Type	Case Sub Type Description	Date Applied
Fraud/Th ft	Physic Securi	This category includes any allegation related to physical theft, acts or threats of violence, manipulation of time cards, stealing time, and controlled substances on UPS property. This category also includes any allegation describing law enforcement either on UPS property or intending to visit UPS property.	Acts or Threats of Violence		(b) (6), (b) (7)(C) 20 8 5:02:00 PM

Events

Status	Priority	Risk	Event#	Date	Event Type(s)	Location(s)	Origin	Entry Method
Closed	2		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) /2018 3:09:00 PM	Physical Security	0312-WEST REGION:RED RIVER	Phone	TNW
Report:	(b) (6), (b) (7)(C)							
Description:	On (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) ) and (b) (6), (b) (7)(C) were involved in a confrontation. (b) (6), (b) (7)(C) was late for work and pushed (b) (6), (b) (7)(C) out of the way while (b) (6), (b) (7)(C) was signing up for a job on the job board. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to wait until (b) (6), (b) (7)(C) was finished at the board, but (b) (6), (b) (7)(C) said, "Fuck this shit." (b) (6), (b) (7)(C) then placed (b) (6), (b) (7)(C) elbow in (b) (6), (b) (7)(C) chest and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) was present during this altercation, and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) for support. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to direct (b) (6), (b) (7)(C) to move. (b) (6), (b) (7)(C) then pinned (b) (6), (b) (7)(C) to the wall chest to chest saying, "Hit me, hit me, I dare you to hit me! I want you to touch me, please hit me." (b) (6), (b) (7)(C) continued to plead with (b) (6), (b) (7)(C) to intervene. (b) (6), (b) (7)(C) watched the ordeal saying, (b) (6), (b) (7)(C) move, get out of (b) (6), (b) (7)(C) face." By this time (b) (6), (b) (7)(C) was close enough to kiss (b) (6), (b) (7)(C). So (b) (6), (b) (7)(C) while holding (b) (6), (b) (7)(C) pen, put (b) (6), (b) (7)(C) hand up for defense. (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) again, who directed the two into the supervisor's office. (b) (6), (b) (7)(C) inquired with (b) (6), (b) (7)(C) about what happened. Initially, (b) (6), (b) (7)(C) denied seeing any of the incident, but later stated (b) (6), (b) (7)(C) was present, but refused to admit (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). Instead, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) shaking a pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) and several others witnessed the event. These 3 are willing to provide written statements of the incident. (b) (6), (b) (7)(C) has stated (b) (6), (b) (7)(C) would conduct an investigation after (b) (6), (b) (7)(C) receives the reports. (b) (6), (b) (7)(C) is concerned because (b) (6), (b) (7)(C) was assaulted at work in the presence of a (b) (6), (b) (7)(C) who (b) (6), (b) (7)(C) called on for help, yet the (b) (6), (b) (7)(C) initially denied being a witness. (b) (6), (b) (7)(C) is sure (b) (6), (b) (7)(C) is trying to protect (b) (6), (b) (7)(C) job.							

Involved Parties

Type	First Name	Middle	Last Name	Title	Description	Outcome	Disposition	Resolution Notes
Aware/Involved	(b) (6), (b) (7)(C)							
Aware/Involved								
Aware/Involved								
Management								
Reported								
Reported								
Reporter								

Locations

Status	Name	Company	Address	City	State	Country
Active	0312-WEST REGION:RED RIVER		116 Old Settlers Blvd	GEORGETOWN	TEXAS	UNITED STATES

People on this case

First Name	Last Name	Role
(b) (6), (b) (7)(C)		

Related links

No Results

Resolution Info

Outcome	Disposition	Notes
Partially Substantiated	Written warning/write up in employee's file	The claim from (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) was not substantiated. Both employees were yelling and being unprofessional in their conduct. After reviewing the facts of the case with HR, Security and Labor departments, both employees were given official Warning letters for unprofessional conduct at the workplace.

Associated cases

Case Number
(b) (6), (b) (7)(C)

## Ethics and Compliance Reporting

### General Information

<b>Caller Name:</b> (b) (6), (b) (7)(C) <b>Type:</b> Not Specified  <b>Title:</b> (b) (6), (b) (7)(C) <b>Phone:</b> (b) (6), (b) (7)(C) <b>Best Time to Call:</b> ANYTIME  <b>Email:</b> (b) (6), (b) (7)(C)	<b>Location #:</b> TXOSE <b>Location Name:</b> 0312-WEST REGION:RED RIVER  <b>DBA:</b> <b>Address:</b> 116 Old Settlers Blvd <b>City,State,Zip:</b> GEORGETOWN - TX 78664 <b>Country:</b> USA <b>Phone:</b>	<b>Report #:</b> (b) (6), (b) (7)(C) <b>Priority:</b> 3  <b>Trans #:</b> 1 <b>Rpt Date:</b> (b) (6), (b) (7)(C) 2018 <b>Time:</b> 09:52PM <b>Origin:</b> Phone Call
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### Summary Information

<b>WHO:</b>	Caller, (b) (6), (b) (7)(C), reported (b) (6), (b) (7)(C)
<b>WHAT:</b>	Retaliation
<b>WHEN:</b>	ONGOING SINCE (b) (6), (b) (7)(C) /2018
<b>WHERE:</b>	(b) (6), (b) (7)(C) DEPARTMENT

### Incident Description

(b) (6), (b) (7)(C) /2018 9:52:00 PM - Original Call

Since (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) feels (b) (6), (b) (7)(C) has retaliated against (b) (6), (b) (7)(C) for reporting (b) (6), (b) (7)(C) to the Ethics hotline for violating company policies. On (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) was assaulted by an employee. Although several witnesses were initially able to corroborate the other employee as the aggressor, (b) (6), (b) (7)(C) was written up by (b) (6), (b) (7)(C) and the witnesses were "tampered with."

On (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) was to start and successfully complete a (b) (6), (b) (7)(C) program; however, due to the write-up, (b) (6), (b) (7)(C) was not allowed to (b) (6), (b) (7)(C) for the week. (b) (6), (b) (7)(C) lost top pay in the position, and feels (b) (6), (b) (7)(C) advancement was sabotaged by (b) (6), (b) (7)(C).

On (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) spoke with (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) being assigned an abundance of (b) (6), (b) (7)(C) and a lack of mentorship provided when (b) (6), (b) (7)(C) alone the week prior. (b) (6), (b) (7)(C) had continually assisted another employee-in-training, and (b) (6), (b) (7)(C) felt (b) (6), (b) (7)(C) behavior was intentional in order for (b) (6), (b) (7)(C) to fail the (b) (6), (b) (7)(C) program.

Upon mention of photos of the other trainee's constant text messages from (b) (6), (b) (7)(C) and an attorney possibly becoming involved, (b) (6), (b) (7)(C) became extremely upset. On (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) was suspended by (b) (6), (b) (7)(C) falsely accused of threatening (b) (6), (b) (7)(C) and another supervisor with termination, which (b) (6), (b) (7)(C) agreed was misinformation.

On (b) (6), (b) (7)(C) /2018, (b) (6), (b) (7)(C) spoke with (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) aggressively approached (b) (6), (b) (7)(C) about the packages being unorganized and stated, "Don't you start no shit! If you don't like it, get off the belt!"

(b) (6), (b) (7)(C) sought out (b) (6), (b) (7)(C) and upon return, (b) (6), (b) (7)(C) were at the truck. (b) (6), (b) (7)(C) accused (b) (6), (b) (7)(C) of causing a lack of supervision and a "dangerous situation for the new-hires to assist you!" (b) (6), (b) (7)(C) also called (b) (6), (b) (7)(C) disrespectful, and stated (b) (6), (b) (7)(C) would solicit statements on (b) (6), (b) (7)(C) behavior with (b) (6), (b) (7)(C) to determine (b) (6), (b) (7)(C) employment status the next day.

(b) (6), (b) (7)(C) forbade (b) (6), (b) (7)(C) from coming in before shift to prepare (b) (6), (b) (7)(C), which (b) (6), (b) (7)(C) threatened (b) (6), (b) (7)(C) had done it before and (b) (6), (b) (7)(C) would do it again and would ultimately impact the other (b) (6), (b) (7)(C) creating a hostile work environment for (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) also threatened to send (b) (6), (b) (7)(C) home and transfer (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) failed to begin working immediately. (b) (6), (b) (7)(C) was in such a state of panic (b) (6), (b) (7)(C) forgot to close the (b) (6), (b) (7)(C), which (b) (6), (b) (7)(C) also yelled at (b) (6), (b) (7)(C) about. When (b) (6), (b) (7)(C) questioned the lack of witnesses regarding (b) (6), (b) (7)(C) assault, (b) (6), (b) (7)(C) again called (b) (6), (b) (7)(C) disrespectful.

(b) (6), (b) (7)(C) feels (b) (6), (b) (7)(C) has been painted as intimidating and aggressive for no reason, and (b) (6), (b) (7)(C) would like (b) (6), (b) (7)(C) mistreatment of the employees, and (b) (6), (b) (7)(C) harassing and retaliatory behavior towards (b) (6), (b) (7)(C) investigated externally, preferably at the San Antonio location by (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) has photos of her disorganized (b) (6), (b) (7)(C) as supporting information, if needed, and (b) (6), (b) (7)(C) intends to file a grievance against (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) /2018.

**How does the caller know about the incident?:** Alleged Victim

**What documentation is available?:** Photos of disorganized (b) (6), (b) (7)(C)



**Involved Parties****Reported Individuals:**

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

**Management Notified: YES**

Date: (b) (6), (b) (7)(C) /2018

Phone:

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Action Taken: Would train (b) (6), (b) (7)(C)

**Involved/Aware Parties : YES**

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Role: Witness

Name: WITHHELD WITHHELD

Title: (b) (6), (b) (7)(C)

Role: Alleged Victim

Title: EMPLOYEE

Role: Co-Worker

Title: SUPERVISOR

Role: Other

Title: TRAINEE

Role: Co-Worker

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: Unknown

Title: UNKNOWN

Role: Other

Ethnic Origin: UNKNOWN

Gender: Unknown

Description: unknown

**Supplemental Information**

How does the caller know about hotline: Sign

Interviewer Observations: Call dropped prior to caller receiving report number

**International Web Form**

IS ONLY: Is this report from the International Web Form?

NO

**Management**

Was Management notified? YES

**Additional Information**

Report Summary – Please provide a three to four sentence summary of this report.

(b) (6), (b) (7)(C) feels (b) (6), (b) (7)(C) was retaliated against and documents falsified by management, and inappropriate disciplinary action issued to stall advancement and terminate.

What is your relationship to UPS?

(b) (6), (b) (7)(C)

Please provide title:

(b) (6), (b) (7)(C)

Would you please provide your Employee ID Number?

(b) (6), (b) (7)(C)

What made you decide to bring this issue forward at this time?

RETALIATORY BEHAVIOR AND FALSE DOCUMENTATION BY (b) (6), (b) (7)(C)

What would you like to see happen as a result of this investigation?

EXTERNAL INVESTIGATION OF BEHAVIORS ON SAN ANTONIO LOCATION, BY (b) (6), (b) (7)(C)

Anonymous?

NO

**IS ONLY/DO NOT ASK CALLER**

IS: What is the secondary code for this report type?

Harassment

IS: What is the tertiary code for this report type?

Financial/Accounting/Fraud/Conflicts of Interest

Did caller mention going to media?

NO

What type of media outlet did they mention? (tv, radio, newspaper, web, etc)

NA

Ask Caller: Would you give the company the opportunity to resolve this before going to the media?

NO

**Tobacco Pre-Clearance**

What is the shipper number of the account?

What is the name and address of the account?

What is the contact name?

What is the business's website?

**Additional Information**

Is this a pickup or delivery package(s)?

Is this a pickup or delivery package(s)?

Is the package in or destined for the U.S.?

How many packages appear to be a concern?

How many packages appear to be a concern?

What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)

What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)

What is the tracking # of the package?

What is the tracking # of the package?

What is the address of the pickup or delivery where you identified your concern?

What is the address of the pickup or delivery where you identified your concern?

What is the name and address of the shipper on the package?

What is the name and address of the shipper on the package?

What is the name and delivery address (consignee) on the package?

What is the name and delivery address (consignee) on the package?

What is the actual name of the attempted shipper or receiver (consignee)?

What is the actual name of the attempted shipper or receiver (consignee)?

What "Red Flag" or identifier caused you concern about the pickup or delivery?

What "Red Flag" or identifier caused you concern about the pickup or delivery?

What additional information do think is relevant that should be provided?

#### Pharmacy Sales Pre-Clearance

What is the shipper number of the account? (This is normally a six digit code that can be found on the UPS label or the 3rd-8th digit of the tracking #)

What is the name and address of the shipper?

Please provide a brief explanation of the customer's business model.

How do they acquire their customers? (i.e. relationships with insurance companies, doctors, web-based marketing..)

What is the contact name?

What is the owner's name?

What is the business's phone number?

What is the business's email address?

What is the business's website?

What is the estimated average daily volume?

What additional information do you think is relevant that should be provided?

#### Union Information

Union or Non-Union	UNION
Are your allegations a violation of the Collective Bargaining Agreement (CBA)?	NO
Have you filed a grievance on the violation?	NO
Is your grievance resolved?	NO

#### Escalation Information

IS ONLY: Is workplace violence imminent or being threatened? Is there a threat to contact the media. Is there a likelihood of a major business interruption?	NO
--	----

**IS ONLY: Is the caller an attorney, police representative, and / or representative of a regulatory or governmental agency?**

No

**Person Completing the Report**

**First Name**

**Last Name**

**Title**

**Phone**

**Email**

The caller has provided his/her name and/or contact information indicating an interest in discussing this matter with a company representative.

**Conditions:**

The information contained in this report was provided by a third party source. The Network, Inc. does not verify the accuracy or the completeness of the information contained in this report, and therefore, cannot guarantee its accuracy or completeness.

If you have questions or concerns relative to our service please contact us at "clientcommunication@tnwinc.com".

## Ethics and Compliance Reporting

### General Information

<b>Caller Name:</b> (b) (6), (b) (7)(C) <b>Type:</b> Not Specified <b>Title:</b> (b) (6), (b) (7)(C) <b>Phone:</b> (b) (6), (b) (7)(C) <b>Best Time to Call:</b> ANYTIME  <b>Email:</b>	<b>Location #:</b> UNK <b>Location Name:</b> UPS HELP LINE <b>DBA:</b> UNKNOWN <b>Address:</b> 116 E OLD SETTLER'S BLVD. <b>City,State,Zip:</b> ROUND ROCK - TX 78665 <b>Country:</b> USA <b>Phone:</b>	<b>Report #:</b> (b) (6), (b) (7)(C) <b>Priority:</b> 3 <b>Trans #:</b> 1 <b>Rpt Date:</b> (b) (6), (b) (7)(C)/2018 <b>Time:</b> 10:14AM <b>Origin:</b> Phone Call
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### Summary Information

<b>WHO:</b>	Caller, (b) (6), (b) (7)(C), reported (b) (6), (b) (7)(C) (b) (6), (b) (7)(C).
<b>WHAT:</b>	Retaliation
<b>WHEN:</b>	SINCE (b) (6), (b) (7)(C) 2018
<b>WHERE:</b>	ONSITE

### Incident Description

(b) (6), (b) (7)(C) /2018 10:14:00 AM - Original Call

Since (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) has been targeted with unwarranted scrutiny and criticism. The details of the situation are documented.

(b) (6), (b) (7)(C) made a charge via the National Labor Board. (b) (6), (b) (7)(C) particularly has contributed to the targeting.

On (b) (6), (b) (7)(C) offered to (b) (6), (b) (7)(C) to help. (b) (6), (b) (7)(C) declined the assistance. (b) (6), (b) (7)(C) left. Surveillance footage of the encounter should be available. (b) (6), (b) (7)(C) originally made the offer because (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) and appears (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) due to (b) (6), (b) (7)(C) stature. On (b) (6), (b) (7)(C) break, (b) (6), (b) (7)(C) (last name unknown) confronted (b) (6), (b) (7)(C) with (b) (6), (b) (7)(C) (last name (b) (6), (b) (7)(C) present.

(b) (6), (b) (7)(C) months ago, (b) (6), (b) (7)(C) had slapped (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) is not in physical danger currently and is not certain if (b) (6), (b) (7)(C) could be in the future. (b) (6), (b) (7)(C) was concerned that (b) (6), (b) (7)(C) chose (b) (6), (b) (7)(C) to mediate, given (b) (6), (b) (7)(C) knowledge of this incident. (b) (6), (b) (7)(C) acted as (b) (6), (b) (7)(C) representative. (b) (6), (b) (7)(C) claimed that the meeting was initiated because of "tension" in which (b) (6), (b) (7)(C) was involved. (b) (6), (b) (7)(C) had to request clarification repeatedly before elaboration was given.

(b) (6), (b) (7)(C) cited "facial expressions" as the cause for concern. (b) (6), (b) (7)(C) pointed out that any expression of (b) (6), (b) (7)(C) could be attributed to fatigue. (b) (6), (b) (7)(C) (last name unknown) arrived. (b) (6), (b) (7)(C) referred to (b) (6), (b) (7)(C) offer to (b) (6), (b) (7)(C) as "stealing work." (b) (6), (b) (7)(C) disagreed but offered to stop assisting. (b) (6), (b) (7)(C) instructed (b) (6), (b) (7)(C) not to do so.

(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were discussed as examples of parties with whom (b) (6), (b) (7)(C) had conflicted. (b) (6), (b) (7)(C) pointed out that (b) (6), (b) (7)(C) had moved on and had assisted (b) (6), (b) (7)(C) the same day. (b) (6), (b) (7)(C) attested to this fact. The issue with (b) (6), (b) (7)(C) had occurred a (b) (6), (b) (7)(C) earlier. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) why (b) (6), (b) (7)(C) referred to it. (b) (6), (b) (7)(C) pointed a finger inches from (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) to stop. (b) (6), (b) (7)(C) stepped between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). Ultimately, (b) (6), (b) (7)(C) was instructed to return to work. It was observed that (b) (6), (b) (7)(C) break had been preempted by the meeting.

(b) (6), (b) (7)(C) followed closely behind (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) mentioned to (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) intended to file a grievance on the way back from the subsequent break. (b) (6), (b) (7)(C) is led to believe that (b) (6), (b) (7)(C) was eavesdropping. (b) (6), (b) (7)(C) responded by antagonizing (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) loudly and repeatedly accused (b) (6), (b) (7)(C) of stealing time. (b) (6), (b) (7)(C) pointed out that (b) (6), (b) (7)(C) actions thus far appeared retaliatory. (b) (6), (b) (7)(C) continued making the accusations. (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) to have (b) (6), (b) (7)(C) escorted out. (b) (6), (b) (7)(C) was not escorted out as (b) (6), (b) (7)(C) claims were unfounded.

**How does the caller know about the incident?:** Alleged Victim

**What documentation is available?:** surveillance footage

### Involved Parties

**Reported Individuals:**



Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Management Notified: NO

Involved/Aware Parties : YES

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Role: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Role: (b) (6), (b) (7)(C)

## Supplemental Information

How does the caller know about hotline:

Poster

Interviewer Observations:

(b) (6), (b) (7) referred to the location as a "temporary" site.

### International Web Form

IS ONLY: Is this report from the International Web Form?

NO

### Management

Was Management notified?

NO

### Additional Information

Report Summary – Please provide a three to four sentence summary of this report.

Since (b) (6), (b) (7) reported concerns, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) have retaliated. (b) (6), (b) (7)(C) chose (b) (6), (b) (7)(C) to mediate for (b) (6), (b) (7) although (b) (6), (b) (7)(C) hit (b) (6), (b) (7) previously. (b) (6), (b) (7)(C) treated (b) (6), (b) (7) aggressively and accused (b) (6), (b) (7) of wrongdoing.

What is your relationship to UPS?

(b) (6), (b) (7)(C)

Please provide title:

(b) (6), (b) (7)(C)

Would you please provide your Employee ID Number?

(b) (6), (b) (7)(C)

What made you decide to bring this issue forward at this time?

THE SEVERITY OF THE ISSUE TODAY PROMPTED (b) (6), (b) (7)(C) TO REPORT.

What would you like to see happen as a result of this investigation?

(b) (6), (b) (7)(C) EXPRESSED AN INABILITY TO ANSWER THIS QUESTION.

Anonymous?

NO

### IS ONLY/DO NOT ASK CALLER

IS: What is the secondary code for this report type?

**IS: What is the tertiary code for this report type?**

**Did caller mention going to media?**

NO

**What type of media outlet did they mention? (tv, radio, newspaper, web, etc)**

**Ask Caller: Would you give the company the opportunity to resolve this before going to the media?**

#### **Tobacco Pre-Clearance**

**What is the shipper number of the account?**

**What is the name and address of the account?**

**What is the contact name?**

**What is the business's website?**

#### **Additional Information**

**Is this a pickup or delivery package(s)?**

**Is this a pickup or delivery package(s)?**

**Is the package in or destined for the U.S.?**

**How many packages appear to be a concern?**

**How many packages appear to be a concern?**

**What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)**

**What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)**

**What is the tracking # of the package?**

**What is the tracking # of the package?**

**What is the address of the pickup or delivery where you identified your concern?**

**What is the address of the pickup or delivery where you identified your concern?**

**What is the name and address of the shipper on the package?**

**What is the name and address of the shipper on the package?**

**What is the name and delivery address (consignee) on the package?**

**What is the name and delivery address (consignee) on the package?**

**What is the actual name of the attempted shipper or receiver (consignee)?**

**What is the actual name of the attempted shipper or receiver (consignee)?**

**What "Red Flag" or identifier caused you concern about the pickup or delivery?**

**What "Red Flag" or identifier caused you concern about the pickup or delivery?**

**What additional information do think is relevant that should be provided?**

**Pharmacy Sales Pre-Clearance**

What is the shipper number of the account? (This is normally a six digit code that can be found on the UPS label or the 3rd-8th digit of the tracking #)

What is the name and address of the shipper?

Please provide a brief explanation of the customer's business model.

How do they acquire their customers? (i.e. relationships with insurance companies, doctors, web-based marketing..)

What is the contact name?

What is the owner's name?

What is the business's phone number?

What is the business's email address?

What is the business's website?

What is the estimated average daily volume?

What additional information do you think is relevant that should be provided?

**Union Information**

Union or Non-Union	UNION
Are your allegations a violation of the Collective Bargaining Agreement (CBA)?	YES
Have you filed a grievance on the violation?	NO
Is your grievance resolved?	NO

**Escalation Information**

IS ONLY: Is workplace violence imminent or being threatened? Is there a threat to contact the media. Is there a likelihood of a major business interruption?	NO
IS ONLY: Is the caller an attorney, police representative, and / or representative of a regulatory or governmental agency?	No

**Person Completing the Report**

First Name

Last Name

Title

Phone

Email

The caller has provided his/her name and/or contact information indicating an interest in discussing this matter with a company representative.

Conditions:

The information contained in this report was provided by a third party source. The Network, Inc. does not verify the accuracy or the completeness of the information contained in this report, and therefore, cannot guarantee its accuracy or completeness.

If you have questions or concerns relative to our service please contact us at "clientcommunication@tnwinc.com".

# **EXHIBIT E**

**Create Investigation****Investigation Created**

Your Investigation has been created:

- Official Investigation Number: (b) (6), (b) (7)(C)
- Investigation Name: (b) (6), (b) (7)(C)
- Official Incident Number: (b) (6), (b) (7)(C)

In order to access this Investigation in the future, you must be one of the following:

- The Investigator assigned to the Investigation.
- The person listed as the Investigator's **IRS Manager** within the system.
- Someone listed as an **Observer** for the Investigation.
- Someone listed as a **Share** on the Investigator's IRS User Account Information.

[View Incident Report](#)

[View Investigation Details](#)





# Corporate Security

## Investigation Detail Report

Print Date: (b) (6), (b) (7)(C) 2018

Name: (b) (6), (b) (7)(C) Status: Awaiting Closure  
Number: (b) (6), (b) (7)(C) System Date: (b) (6), (b) (7)(C) 2018  
Investigator: (b) (6), (b) (7)(C) Age in Days: (b) (6), (b) (7)(C)  
Created By: [Redacted]  
Creation Notes: (None)  
Status Comments: (None)

Associated Incidents:	1
Property Seizures:	0
Disciplinary Actions:	2
Grievance Records:	0
Prosecutive Actions:	0
Law Enforcement Contacts:	0
Observers:	0
Comment Records:	0

	Records	Costs	Recoveries
Total Package Losses:	0	\$0.00	\$0.00
Total Property Losses:	0	\$0.00	\$0.00
Total Frauds:	0	\$0.00	\$0.00
Total Investigative Costs:	0	\$0.00	N/A
Total Sources/Rewards:	0	\$0.00	N/A
Grand Totals:	0	\$0.00	\$0.00

### Summary:

Austin Security was notified about a Corporate Concern made by a (b) (6), (b) (7)(C) employee that alleged that another (b) (6), (b) (7)(C) employee had physically struck (b) (6), (b) (7)(C) in the face. Security and HR responded to the Old Settler's Facility the following day to interview all parties and witnesses involved. It was discovered that there was no CCTV footage of the incident. After interviewing all witnesses and parties involved it was discovered that several stories had some discrepancies, but that a majority of the witnesses did not see either party physically strike the other at any point in time. All information and findings were reviewed with Labor. Per Labor, both parties involved in the incident had the Work Place Violence and Professional Conduct Policy reviewed with them. Both parties also received written warning letters for the unprofessional behavior. No further incident.

*The information contained in this report includes proprietary and confidential information that may be subject to attorney-client privilege and is intended only for the use of authorized personnel. Unauthorized use, dissemination, distribution, or copying of this information is strictly prohibited.*

## Incident

Incident Date:	(b) (6), (b) (7)(C) 2018	Incident Time:	00:00
System Date:	(b) (6), (b) (7)(C) 2018	SLIC:	7871 - GEORGETOWN
Creator:	(b) (6), (b) (7)(C)	Location:	Georgetown
Recommended Investigator:	(b) (6), (b) (7)(C)	Status:	Assigned - (b) (6), (b) (7)(C)
Incident Type:	Violent Acts	Value (USD):	\$0.00
Local Value:	0.00	Currency Type:	US Dollar
Security Function:	Small Package		

Reported By:	(b) (6), (b) (7)(C)	Title:	(b) (6), (b) (7)(C)
		Phone:	(b) (6), (b) (7)(C)

Location Desc:	Georgetown		
Map Link:	<a href="#">View</a>	Location Type:	At Facility
Latitude:	30.536226	Longitude:	-97.684672

Description:  
(b) (6), (b) (7)(C) was notified about a Corporate Concern involving a workplace violence incident.

## Subject - (b) (6), (b) (7)(C)

Type:	UPS - (b) (6), (b) (7)(C)	Employee ID:	
Address:		Telephone:	
Status:	(b) (6), (b) (7)(C)	Job Description:	(b) (6), (b) (7)(C)
Operation Type:	(b) (6), (b) (7)(C)	Sort Type:	(b) (6), (b) (7)(C)
Job Type:	(b) (6), (b) (7)(C)	Employment Date:	(b) (6), (b) (7)(C)
Union Type:	Teamsters	Job Date:	(b) (6), (b) (7)(C)
Comments:	(None)		

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## Interviews

Interview Type: 01 Fact Finding

Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was asked about (b) (6), (b) (7)(C) recollection of the incident that had occurred between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that they were signing the bid lists when the incident between them occurred. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had an issue with (b) (6), (b) (7)(C) signing the bid list while (b) (6), (b) (7)(C) was. (b) (6), (b) (7)(C) continued to try and sign bid lists when (b) (6), (b) (7)(C) got into (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then put (b) (6), (b) (7)(C) forearm in (b) (6), (b) (7)(C) chest, which (b) (6), (b) (7)(C) removed with (b) (6), (b) (7)(C) own forearm. (b) (6), (b) (7)(C) then began to shout in (b) (6), (b) (7)(C) face when a (b) (6), (b) (7)(C) came over and took both parties into the (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) then pointed (b) (6), (b) (7)(C) pen in (b) (6), (b) (7)(C) face, which (b) (6), (b) (7)(C) again removed with (b) (6), (b) (7)(C) forearm. (b) (6), (b) (7)(C) stated that while going to the (b) (6), (b) (7)(C) office, (b) (6), (b) (7)(C) continued to scream and yell accusations.

## Disciplinary Actions

Action Date: (b) (6), (b) (7)(C) 2018

Action Type: Written Warning (UPS)

Offense Type: Violent Acts

Discipline Comments: (None)

## Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C)

Employee ID: (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

Telephone: (b) (6), (b) (7)(C)

Status: (b) (6), (b) (7)(C) e

Job Description: (b) (6), (b) (7)(C)

Operation Type: (b) (6), (b) (7)(C)

Sort Type: (b) (6), (b) (7)(C)

Job Type: (b) (6), (b) (7)(C)

Employment Date: (b) (6), (b) (7)(C)

Union Type: Teamsters

Job Date: (b) (6), (b) (7)(C)

Comments: (None)

## Interviews

Interview Type: 01 Fact Finding

Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) had exchanged words at the bid list and then (b) (6), (b) (7)(C) turned around and pointed (b) (6), (b) (7)(C) pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then swatted at the pen to get it out of (b) (6), (b) (7)(C) face. Then both parties were pointing pens in the others face. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not see either party strike the other.

## Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C)

Employee ID: (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

Telephone: (b) (6), (b) (7)(C)

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Status: (b) (6), (b) (7)(C) Job Description: (b) (6), (b) (7)(C)  
Operation Type: (b) (6), (b) (7)(C) Sort Type: (b) (6), (b) (7)(C)  
Job Type: (b) (6), (b) (7)(C) Employment Date: (b) (6), (b) (7)(C)  
Union Type: Teamsters Job Date: (b) (6), (b) (7)(C) 2016  
Comments: (None)

### Interviews

Interview Type: 01 Fact Finding Interviewer: (b) (6), (b) (7)(C)  
Interview Date: (b) (6), (b) (7)(C) 2018  
Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) y interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) was asked about the altercation that had occurred between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) the day before. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) came up and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) to not push (b) (6), (b) (7)(C) and that was when (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was going to be late for work and pushed (b) (6), (b) (7)(C) again. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) then got in (b) (6), (b) (7)(C) face and taunted (b) (6), (b) (7)(C) in an attempt to get (b) (6), (b) (7)(C) to strike (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance and (b) (6), (b) (7)(C) instructed (b) (6), (b) (7)(C) to stop, but (b) (6), (b) (7)(C) did not. It was at that time both parties were separated and brought to the (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) also alleged that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were romantically involved outside of work. (b) (6), (b) (7)(C) also stated that (b) (6), (b) (7)(C) was capable of physically dominating (b) (6), (b) (7)(C)

### Disciplinary Actions

Action Date: (b) (6), (b) (7)(C) 2018  
Action Type: Written Warning (UPS) Offense Type: Violent Acts  
Discipline: (None)  
Comments: (None)

### Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C) Employee ID: (b) (6), (b) (7)(C)  
Address: (b) (6), (b) (7)(C) Telephone: (b) (6), (b) (7)(C)  
Status: (b) (6), (b) (7)(C) Job Description: (b) (6), (b) (7)(C)  
Operation Type: (b) (6), (b) (7)(C) Sort Type: (b) (6), (b) (7)(C)  
Job Type: (b) (6), (b) (7)(C) Employment Date: (b) (6), (b) (7)(C)  
Union Type: (b) (6), (b) (7)(C) Job Date: (b) (6), (b) (7)(C) 2018  
Comments: (None)

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## Interviews

Interview Type: 01 Fact Finding

Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) /18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were attempting to sign a bid list when (b) (6), (b) (7)(C) forcibly moved (b) (6), (b) (7)(C) from the area with (b) (6), (b) (7)(C) forearm. When (b) (6), (b) (7)(C) did not leave, (b) (6), (b) (7)(C) began telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) needed to leave the area. (b) (6), (b) (7)(C) stated that both parties were then bickering back and forth until (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not witness any physical contact other than (b) (6), (b) (7)(C) attempting to move (b) (6), (b) (7)(C) to the side.

### Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C)

Employee ID: (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

Telephone: (b) (6), (b) (7)(C)

Status: (b) (6), (b) (7)(C)

Job Description: (b) (6), (b) (7)(C)

Operation Type: (b) (6), (b) (7)(C)

Sort Type: (b) (6), (b) (7)(C)

Job Type: (b) (6), (b) (7)(C)

Employment Date: (b) (6), (b) (7)(C)

Union Type: Teamsters

Job Date: (b) (6), (b) (7)(C) 2018

Comments: (None)

## Interviews

Interview Type: 01 Fact Finding

Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) /18 (b) (6), (b) (7)(C) interviewed Gathing in the presence of Union (b) (6), (b) (7)(C). Gathing stated that (b) (6), (b) (7)(C) did witness part of the incident. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) witnessed (b) (6), (b) (7)(C) nudge (b) (6), (b) (7)(C) when both were attempting to sign bid lists. (b) (6), (b) (7)(C) then told (b) (6), (b) (7)(C) to wait, and moments later turned around and pointed a pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then swiped the pen away from (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then began screaming and both parties were face to face bumping into each other. At that time (b) (6), (b) (7)(C) arrived and brought both parties into the (b) (6), (b) (7)(C) office.

### Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C)

Employee ID: (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

Telephone: (b) (6), (b) (7)(C)

Status: (b) (6), (b) (7)(C)

Job Description: (b) (6), (b) (7)(C)

Operation Type: (b) (6), (b) (7)(C)

Sort Type: (b) (6), (b) (7)(C)

Job Type: (b) (6), (b) (7)(C)

Employment Date: (b) (6), (b) (7)(C)

Union Type: Teamsters

Job Date: (b) (6), (b) (7)(C) 2016

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Comments: (None)

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**Subject - (b) (6), (b) (7)(C)**

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Type:	UPS - (b) (6), (b) (7)(C)	Employee ID:	(b) (6), (b) (7)(C)
Address:	(b) (6), (b) (7)(C)	Telephone:	(b) (6), (b) (7)(C)
Status:	(b) (6), (b) (7)(C)	Job Description:	(b) (6), (b) (7)(C)
Operation Type:	(b) (6), (b) (7)(C)	Sort Type:	(b) (6), (b) (7)(C)
Job Type:	(b) (6), (b) (7)(C)	Employment Date:	(b) (6), (b) (7)(C)
Union Type:	Teamsters	Job Date:	(b) (6), (b) (7)(C) 1998
Comments:	(None)		

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**Subject - MARK A PAULSEN**

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Type:	UPS - (b) (6), (b) (7)(C)	Employee ID:	(b) (6), (b) (7)(C)
Address:	(b) (6), (b) (7)(C)	Telephone:	(b) (6), (b) (7)(C)
Status:	(b) (6), (b) (7)(C)	Job Description:	(b) (6), (b) (7)(C)
Operation Type:	(b) (6), (b) (7)(C)	Sort Type:	(b) (6), (b) (7)(C)
Job Type:	(b) (6), (b) (7)(C)	Employment Date:	(b) (6), (b) (7)(C)
Union Type:	Teamsters	Job Date:	(b) (6), (b) (7)(C) 2017
Comments:	(None)		

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**Interviews**

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Interview Type: 01 Fact Finding Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) attempted to sign one of the lists. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) to wait (b) (6), (b) (7)(C) turn. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) exchanged words and then (b) (6), (b) (7)(C) began to accuse (b) (6), (b) (7)(C) of pushing (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) never saw either party push or strike the other.

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**Subject - (b) (6), (b) (7)(C)**

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Type:	UPS - (b) (6), (b) (7)(C)	Employee ID:	(b) (6), (b) (7)(C)
Address:	(b) (6), (b) (7)(C)	Telephone:	(b) (6), (b) (7)(C)
Status:	(b) (6), (b) (7)(C)	Job Description:	(b) (6), (b) (7)(C)
Operation Type:	(b) (6), (b) (7)(C)	Sort Type:	(b) (6), (b) (7)(C)
Job Type:	(b) (6), (b) (7)(C)	Employment Date:	(b) (6), (b) (7)(C)
Union Type:	(b) (6), (b) (7)(C)	Job Date:	(b) (6), (b) (7)(C) 2017
Comments:	(None)		

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## Interviews

Interview Type: 01 Fact Finding Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was asked about (b) (6), (b) (7)(C) recollection of the incident that had occurred the day before. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had come up to (b) (6), (b) (7)(C) to tell (b) (6), (b) (7)(C) about an incident that had occurred. (b) (6), (b) (7)(C) then began to demonstrate the action that (b) (6), (b) (7)(C) alleged (b) (6), (b) (7)(C) had committed against (b) (6), (b) (7)(C) earlier. Both parties then were in each other's face and yelling back and forth. (b) (6), (b) (7)(C) then instructed both parties to enter the (b) (6), (b) (7)(C) office to discuss the issue. Once they entered the office, (b) (6), (b) (7)(C) continued to scream and yell. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not see the beginning of the incident.

## Subject - (b) (6), (b) (7)(C)

Type: UPS - (b) (6), (b) (7)(C)

Employee ID: (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C)

Telephone: (b) (6), (b) (7)(C)

Status: (b) (6), (b) (7)(C)

Job Description: (b) (6), (b) (7)(C)

Operation Type: (b) (6), (b) (7)(C)

Sort Type: (b) (6), (b) (7)(C)

Job Type: (b) (6), (b) (7)(C)

Employment Date: (b) (6), (b) (7)(C)

Union Type: (b) (6), (b) (7)(C)

Job Date: (b) (6), (b) (7)(C) 2016

Comments: (None)

## Interviews

Interview Type: 01 Fact Finding Interviewer: (b) (6), (b) (7)(C)

Interview Date: (b) (6), (b) (7)(C) 2018

Summary: On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). Wright stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) attempted to sign as well. This caused both parties to begin arguing. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance with the situation. When (b) (6), (b) (7)(C) was walking over, (b) (6), (b) (7)(C) swung an unknown item that was in (b) (6), (b) (7)(C) hand towards (b) (6), (b) (7)(C) face and made contact. (b) (6), (b) (7)(C) was positive that the item struck (b) (6), (b) (7)(C) in the face.

## Investigation Timeline

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) was notified about a Corporate Concern that was filed by (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) alleged that an incident occurred between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that several employee witnessed the incident, such as (b) (6), (b) (7)(C). (b) (6), (b) (7)(C). (b) (6), (b) (7)(C).

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) reviewed CCTV footage at the Old Settler's Facility, but discovered that there was no footage of the area in which the incident had occurred.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was asked about (b) (6), (b) (7)(C) recollection of the incident that had occurred the day before. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had come up to (b) (6), (b) (7)(C) to tell (b) (6), (b) (7)(C) about an incident that had occurred. (b) (6), (b) (7)(C) then began to demonstrate the action that (b) (6), (b) (7)(C) alleged (b) (6), (b) (7)(C) had committed against (b) (6), (b) (7)(C) earlier. Both parties then were in each other's face and yelling back and forth. (b) (6), (b) (7)(C) then instructed both parties to enter the (b) (6), (b) (7)(C) office to discuss the issue. Once they entered the office (b) (6), (b) (7)(C) continued to scream and yell. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not see the beginning of the incident.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) attempted to sign as well. This caused both parties to begin arguing. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance with the situation. When (b) (6), (b) (7)(C) was walking over, (b) (6), (b) (7)(C) swung an unknown item that was in (b) (6), (b) (7)(C) hand towards (b) (6), (b) (7)(C) face and made contact. (b) (6), (b) (7)(C) was positive that the item struck (b) (6), (b) (7)(C) in the face.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) attempted to sign one of the lists. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) to wait (b) (6), (b) (7)(C) turn. (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) exchanged words and then (b) (6), (b) (7)(C) began to accuse (b) (6), (b) (7)(C) of pushing (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) never saw either party push or strike the other.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did witness part of the incident. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) witnessed (b) (6), (b) (7)(C) nudge (b) (6), (b) (7)(C) when both were attempting to sign bid lists. (b) (6), (b) (7)(C) then told (b) (6), (b) (7)(C) to wait, and moments later turned around and pointed a pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then swiped the pen away from (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then began screaming and both parties were face to face bumping into each other. At that time (b) (6), (b) (7)(C) arrived and brought both parties into the (b) (6), (b) (7)(C) office.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) had exchanged words at the bid list and then (b) (6), (b) (7)(C) turned around and pointed (b) (6), (b) (7)(C) pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then swatted at the pen to get it out of (b) (6), (b) (7)(C) face. Then both parties were pointing pens in the others face. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not see either party strike the other.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were attempting to sign a bid list when (b) (6), (b) (7)(C) forcibly moved (b) (6), (b) (7)(C) from the area with (b) (6), (b) (7)(C) forearm. When (b) (6), (b) (7)(C) did not leave, (b) (6), (b) (7)(C) began telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) needed to leave the area. (b) (6), (b) (7)(C) stated that both parties were then bickering back and forth until (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not witness any physical contact other than (b) (6), (b) (7)(C) attempting to move (b) (6), (b) (7)(C) to the side.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was asked about (b) (6), (b) (7)(C) recollection of the incident that had occurred between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that they were signing the bid lists when the incident between them occurred. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) had an issue with (b) (6), (b) (7)(C) signing the bid list while (b) (6), (b) (7)(C) was. (b) (6), (b) (7)(C) continued to try and sign bid lists when (b) (6), (b) (7)(C) got into

*The information contained in this report includes proprietary and confidential information that may be subject to attorney-client privilege and is intended only for the use of authorized personnel. Unauthorized use, dissemination, distribution, or copying of this information is strictly prohibited.*

(b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then put (b) (6), (b) (7)(C) forearm in (b) (6), (b) (7)(C) chest, which (b) (6), (b) (7)(C) removed with (b) (6), (b) (7)(C) own forearm. (b) (6), (b) (7)(C) then began to shout in (b) (6), (b) (7)(C) face when (b) (6), (b) (7)(C) came over and took both parties into the (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) then pointed (b) (6), (b) (7)(C) pen in (b) (6), (b) (7)(C) face, which (b) (6), (b) (7)(C) again removed with (b) (6), (b) (7)(C) forearm. (b) (6), (b) (7)(C) stated that while going to the (b) (6), (b) (7)(C) office, (b) (6), (b) (7)(C) continued to scream and yell accusations.

On (b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) in the presence of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was asked about the altercation that had occurred between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) the day before. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was signing bid lists when (b) (6), (b) (7)(C) came up and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) to not push (b) (6), (b) (7)(C), and that was when (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was going to be late for work and pushed (b) (6), (b) (7)(C) again. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) then got in (b) (6), (b) (7)(C) face and taunted (b) (6), (b) (7)(C) in an attempt to get (b) (6), (b) (7)(C) to strike (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) called to (b) (6), (b) (7)(C) for assistance and (b) (6), (b) (7)(C) instructed (b) (6), (b) (7)(C) to stop, but (b) (6), (b) (7)(C) did not. It was at that time both parties were separated and brought to the (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) also alleged that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were romantically involved outside of work. (b) (6), (b) (7)(C) also stated that (b) (6), (b) (7)(C) was capable of physically dominating (b) (6), (b) (7)(C).

On (b) (6), (b) (7)(C) 19 both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) received written warning letters for their unprofessional conduct. They also had the UPS Work Place Violence and Professional Conduct Policies reviewed with them. No further incident.

## Ethics and Compliance Reporting

### General Information

Caller Name: (b) (6), (b) (7)(C)	Location #: TXOSE	Report #: (b) (6), (b) (7)(C)
Type: Not Specified	Location Name: 0312-WEST REGION:RED RIVER	Priority: 2
Title: (b) (6), (b) (7)(C)	DBA:	Trans #: 1
Phone: (b) (6), (b) (7)(C)	Address: 116 OLD SETTLERS BLVD	Rpt Date: (b) (6), (b) (7)/2018
Best Time to Call: ANYTIME	City, State, Zip: GEORGETOWN - TX 78664	Time: 11:09AM
	Country: USA	Origin: Phone Call
Email: (b) (6), (b) (7)(C)	Phone:	

### Summary Information

WHO:	Caller, (b) (6), (b) (7)(C), reported (b) (6), (b) (7)(C)
WHAT:	Physical Security
WHEN:	(b) (6), (b) (7)/2018
WHERE:	IN THE HUB

### Incident Description

(b) (6), (b) (7)/2018 11:09:00 AM - Original Call

On (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) (last name unknown) and (b) (6), (b) (7)(C) were involved in a confrontation. (b) (6), (b) (7)(C) was late for work and pushed (b) (6), (b) (7)(C) out of the way while (b) (6), (b) (7)(C) was signing up for a job on the job board. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to wait until (b) (6), (b) (7)(C) was finished at the board, but (b) (6), (b) (7)(C) said, "Fuck this shit." (b) (6), (b) (7)(C) then placed (b) (6), (b) (7)(C) elbow in (b) (6), (b) (7)(C) chest and pushed (b) (6), (b) (7)(C) out of the way. (b) (6), (b) (7)(C) was present during this altercation, and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) for support. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to direct (b) (6), (b) (7)(C) to move. (b) (6), (b) (7)(C) then pinned (b) (6), (b) (7)(C) to the wall chest to chest saying, "Hit me, hit me, I dare you to hit me! I want you to touch me, please hit me." (b) (6), (b) (7)(C) continued to plead with (b) (6), (b) (7)(C) to intervene. (b) (6), (b) (7)(C) watched the ordeal saying, "(b) (6), (b) (7)(C) move, get out of (b) (6), (b) (7)(C) face." By this time (b) (6), (b) (7)(C) was close enough to kiss (b) (6), (b) (7)(C). So (b) (6), (b) (7)(C) while holding (b) (6), (b) (7)(C) pen, put (b) (6), (b) (7)(C) hand up for defense. (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) called on (b) (6), (b) (7)(C) again, who directed the two into the (b) (6), (b) (7)(C) office. (b) (6), (b) (7)(C) inquired with (b) (6), (b) (7)(C) about what happened. Initially, (b) (6), (b) (7)(C) denied seeing any of the incident, but later stated (b) (6), (b) (7)(C) was present, but refused to admit (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). Instead, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) saw (b) (6), (b) (7)(C) shaking a pen in (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) several others witnessed the event. These (b) (6), (b) (7)(C) are willing to provide written statements of the incident. (b) (6), (b) (7)(C) has stated (b) (6), (b) (7)(C) would conduct an investigation after (b) (6), (b) (7)(C) receives the reports. (b) (6), (b) (7)(C) is concerned because (b) (6), (b) (7)(C) was assaulted at work in the presence of (b) (6), (b) (7)(C) who (b) (6), (b) (7)(C) called on for help, yet the (b) (6), (b) (7)(C) initially denied being a witness. (b) (6), (b) (7)(C) is sure (b) (6), (b) (7)(C) is trying to protect (b) (6), (b) (7)(C) job.

How does the caller know about the incident?: Alleged Victim

What documentation is available?: none

### Involved Parties

#### Reported Individuals:

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

#### Management Notified: YES

Date: (b) (6), (b) (7)/2018

Phone:

Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Action Taken: (b) (6), (b) (7) said (b) (6), (b) (7) would do an investigation after receiving all written statements.

Involved/Aware Parties : YES



Name: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Role: Witness

Name: (b) (6), (b) (7)(C)

Name: (b) (6), (b) (7)(C)

**Supplemental Information**

How does the caller know about hotline: Employee

**Interviewer Observations:****International Web Form**

IS ONLY: Is this report from the International Web Form? NO

**Management**

Was Management notified? YES

**Additional Information**

Report Summary – Please provide a three to four sentence summary of this report.

(b) (6), (b) (7)(C) is reporting (b) (6), (b) (7)(C) (last name unknown) and (b) (6), (b) (7)(C) pinned (b) (6), (b) (7)(C) to the wall chest to chest and struck (b) (6), (b) (7)(C) in front of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) denied seeing the assault.

What is your relationship to UPS?

(b) (6), (b) (7)(C)

Please provide title:

(b) (6), (b) (7)(C)

Would you please provide your Employee ID Number?

(b) (6), (b) (7)(C)

What made you decide to bring this issue forward at this time?

(b) (6), (b) (7)(C) WAS ASSAULTED IN FRONT OF A (b) (6), (b) (7)(C) AND IT WAS ALLOWED TO HAPPEN.

What would you like to see happen as a result of this investigation?

(b) (6), (b) (7)(C) WOULD LIKE TO SEE THE INVESTIGATORS DO THEIR JOBS AND ADHERE TO ZERO TOLERANCE FOR VIOLENCE IN THE WORKPLACE.

Anonymous?

NO

**IS ONLY/DO NOT ASK CALLER**

IS: What is the secondary code for this report type? Discrimination/Favoritism

IS: What is the tertiary code for this report type?

Did caller mention going to media? NO

What type of media outlet did they mention? (tv, radio, newspaper, web, etc) N/A

Ask Caller: Would you give the company the opportunity to resolve this before going to the media? YES

**Additional Information**

Does this involve theft or an other security issue? Other Security Issues

Does the other security issue involve:

**Tobacco Pre-Clearance**

What is the shipper number of the account? N/A

What is the name and address of the account? N/A

What is the contact name? N/A

What is the business's website? N/A

**Additional Information**

Is this a pickup or delivery package(s)?

Is this a pickup or delivery package(s)?

Is the package in or destined for the U.S.?

How many packages appear to be a concern?

How many packages appear to be a concern?

What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)

What is the shipper number of the account? (This is normally a six digit code that can be found on a UPS label or the 3rd-8th digit of the tracking #)

What is the tracking # of the package?

What is the tracking # of the package?

What is the address of the pickup or delivery where you identified your concern?

What is the address of the pickup or delivery where you identified your concern?

What is the name and address of the shipper on the package?

What is the name and address of the shipper on the package?

What is the name and delivery address (consignee) on the package?

What is the name and delivery address (consignee) on the package?

What is the actual name of the attempted shipper or receiver (consignee)?

What is the actual name of the attempted shipper or receiver (consignee)?

What "Red Flag" or identifier caused you concern about the pickup or delivery?

What "Red Flag" or identifier caused you concern about the pickup or delivery?

What additional information do think is relevant that should be provided?

**Pharmacy Sales Pre-Clearance**

What is the shipper number of the account? (This is normally a six digit code that can be found on the UPS label or the 3rd-8th digit of the tracking #)

What is the name and address of the shipper?

Please provide a brief explanation of the customer's business model.

How do they acquire their customers? (i.e. relationships with insurance companies, doctors, web-based marketing..)

What is the contact name?

What is the owner's name?

What is the business's phone number?

What is the business's email address?

What is the business's website?

What is the estimated average daily volume?

What additional information do you think is relevant that should be provided?

**Union Information**

Union or Non-Union	UNION
Are your allegations a violation of the Collective Bargaining Agreement (CBA)?	NO
Have you filed a grievance on the violation?	NO
Is your grievance resolved?	NO

**Escalation Information**

IS ONLY: Is workplace violence imminent or being threatened? Is there a threat to contact the media. Is there a likelihood of a major business interruption? YES

IS ONLY: Is the caller an attorney, police representative, and / or representative of a regulatory or governmental agency? No

**Person Completing the Report**

First Name

Last Name

Title

Phone

Email

The caller has provided his/her name and/or contact information indicating an interest in discussing this matter with a company representative.

**Conditions:**

The information contained in this report was provided by a third party source. The Network, Inc. does not verify the accuracy or the completeness of the information contained in this report, and therefore, cannot guarantee its accuracy or completeness.

If you have questions or concerns relative to our service please contact us at "clientcommunication@tnwinc.com".

(b) (6), (b) (7)(C)

From:

(b) (6), (b) (7)(C)

Sent:

Wednesday, (b) (6), (b) (7)(C) 2018 1:05 PM

To:

(b) (6), (b) (7)(C)

Subject:

Incident

(b) (6), (b) (7)(C)

Incident on (b) (6), (b) (7)(C)-2018

Witnesses:

(b) (6), (b) (7)(C)

*maybe*

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

*behind*

(b) (6), (b) (7)(C)

(b) (6), has everyone's statement except (b) (6), (b) (7)(C). I'm waiting on those.

Thank you,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, (b) (6), (b) (7)(C) 2018 2:22 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** (b) (6), (b) (7)(C) Statement

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C) [\(b\) \(6\), \(b\) \(7\)\(C\)](mailto:(b) (6), (b) (7)(C))  
**Sent:** Wednesday, (b) (6), (b) (7)(C), 2018 12:35 PM  
**To:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
**Subject:** Re: [EXTERNAL] Assault on me by another employee

Also, FYI, a couple of people came up to me and asked me if I noticed (b) (6), (b) (7)(C) using hand gestures while (b) (6), (b) (7)(C) was interacting with me as if the hand gestures were gang related. I didn't notice this, but then again, I was in a state of shock, but I'm wondering if this is something I need to worry about when I go back to work? Meaning, being met at the job site by others affiliated with (b) (6), (b) (7)(C). Am I allowed to defend myself if need be without worrying about losing my job?

Sent from Yahoo Mail for iPhone

On Wednesday, (b) (6), (b) (7)(C), 2018, 1:12 PM, (b) (6), (b) (7)(C) wrote:

Thank you. I'm still upset but more humiliated because no one stopped the altercation.

Sent from Yahoo Mail for iPhone

On Wednesday, (b) (6), (b) (7)(C), 2018, 1:08 PM, (b) (6), (b) (7)(C) wrote:

Good afternoon (b) (6), (b) (7)(C)

Thank you for your statement and for the details and I commend you for keeping your cool. I will look into this immediately and review all statements. This requires the (b) (6), (b) (7)(C) involvement so I will share what has happened with (b) (6), (b) (7)(C) as well. I will get back to you today.

(b) (6), (b) (7)(C)



From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]  
Sent: Wednesday, (b) (6), (b) (7)(C) 2018 11:39 AM  
To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>  
Subject: [EXTERNAL] Assault on me by another employee

Good morning (b) (6), (b) (7)(C). I am sending you this email to serve as my written statement that is in reference to me being assaulted by another (b) (6), (b) (7)(C) this morning.

(b) (6), (b) (7)(C) pushed me out of the way as I was signing the bid sheets. I told (b) (6), (b) (7)(C) not to push me, I was almost done and then (b) (6), (b) (7)(C) could sign the lists because I was there first. (b) (6), (b) (7)(C) made a sassy comment but I ignored (b) (6), (b) (7)(C) and kept signing the bid sheets. (b) (6), (b) (7)(C) then said "f... this s....! Move out of the way. I gotta go. I'm late for work!" When (b) (6), (b) (7)(C) said this, (b) (6), (b) (7)(C) proceeded to push me out of (b) (6), (b) (7)(C) way using (b) (6), (b) (7)(C) arm/elbow into my chest area. This time (b) (6), (b) (7)(C) was forceful. I told (b) (6), (b) (7)(C) again not to be pushing me, I was there first and to back away from me. (b) (6), (b) (7)(C) then got in my face, our bodies close together and (b) (6), (b) (7)(C) kept trying to get me to strike (b) (6), (b) (7)(C) so I'd lose my job. I saw (b) (6), (b) (7)(C) and asked (b) (6), (b) (7)(C) to tell (b) (6), (b) (7)(C) to get out of my face. (b) (6), (b) (7)(C) came up to both of us and that is when (b) (6), (b) (7)(C) became more aggressive with taunting me to hit (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) kept saying over and over, "hit me!!! Hit me! Pleased hit me! I dare you. I want you to touch me! You're about to have some problems. I want you to hit me!" As (b) (6), (b) (7)(C) was saying this, (b) (6), (b) (7)(C) continued to get closer and closer with our bodies touching and at this point, (b) (6), (b) (7)(C) had me against the wall. I repeatedly asked (b) (6), (b) (7)(C) over and over and over to make (b) (6), (b) (7)(C) get away from me, to make (b) (6), (b) (7)(C) get out of my face. (b) (6), (b) (7)(C) kept asking (b) (6), (b) (7)(C) to get out my face but (b) (6), (b) (7)(C) refused to listen and continued with the taunting. (b) (6), (b) (7)(C) did not take any orders from (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) but chose to become more aggressive. At this point, (b) (6), (b) (7)(C) was so close to my face, I held my hand up to put space between me and (b) (6), (b) (7)(C) and that's when (b) (6), (b) (7)(C) swung at me and grazed my face! I immediately told (b) (6), (b) (7)(C) "(b) (6), (b) (7)(C) just assaulted me! (b) (6), (b) (7)(C) needs to be fired!" Then he yelled at the both of us to go into the (b) (6), (b) (7)(C) office. We went in there and (b) (6), (b) (7)(C) lied to (b) (6), (b) (7)(C) and said (b) (6), (b) (7)(C) didn't see (b) (6), (b) (7)(C) hit me and walked up to the incident after it all happened. Do in a nutshell, I was minding my business signing the bid sheets when (b) (6), (b) (7)(C) continued to try to bully and taunt me to fight (b) (6), (b) (7)(C) which resulted in (b) (6), (b) (7)(C) physically assaulting me, but I chose to take the high road by not striking back because I clearly did nothing wrong in this situation but beg for (b) (6), (b) (7)(C) to step in to make (b) (6), (b) (7)(C) stop attacking me, which (b) (6), (b) (7)(C) could not gain control of the situation, nor make (b) (6), (b) (7)(C) stop. (b) (6), (b) (7)(C) was trying (b) (6), (b) (7)(C) best to push me to my limit to where I would retaliate by striking (b) (6), (b) (7)(C) which could have resulted in me losing my job!

Sent from Yahoo Mail for iPhone

Wednesday (b) (6), (b) (7)(C) 2018 I was signing

Part time to full time bidlist. Lots of people signing over each other and (b) (6), (b) (7)(C) was front-center

of it all, Space freed up so I made my way in to sign which (b) (6), (b) (7)(C) had a problem with, I moved three different times to finish signing and (b) (6), (b) (7)(C)

aggressively turned around, got in my face and did not leave it at that. I asked (b) (6), (b) (7)(C) to step out of my personal space, which (b) (6), (b) (7)(C) did not and (b) (6), (b) (7)(C) proceeded to put (b) (6), (b) (7)(C) forearm on my chest which I removed with my forearm. (b) (6), (b) (7)(C) started

shouting in my face until (b) (6), (b) (7)(C) came to separate us. (b) (6), (b) (7)(C) took us to the office.

Before we left to the office (b) (6), (b) (7)(C) put (b) (6), (b) (7)(C) pen to my chin, again, I removed with my forearm.

Following behind me to the office (b) (6), (b) (7)(C) proceeded to keep shouting at everyone in the room yelling accusations and telling me (b) (6), (b) (7)(C) lose (b) (6), (b) (7)(C) job over me today.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

2/18

I (b) (6), (b) (7)(C) read and understand the legal documents and agreement the were provided to me.

At approximately 8:25, (b) (6), (b) (7)(C) had come to grab me to tell me what had happened between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). The time it took me to walk over where the problem came up was about 15 seconds, (b) (6), (b) (7)(C) had explained (b) (6), (b) (7)(C) whole side of the story. When I approached (b) (6), (b) (7)(C) went ahead and started demonstrating the same "action" that (b) (6), (b) (7)(C) had done to (b) (6), (b) (7)(C). Now both (b) (6), (b) (7)(C) are in each others personal space, both are shouting to get the other one out of ones face, (b) (6), (b) (7)(C) "Better get this (b) (6), (b) (7)(C) out of my face or else..." (b) (6), (b) (7)(C) "Do something, do something" (b) (6), (b) (7)(C) making "hand gesture with pen" "accidentally" poked (b) (6), (b) (7)(C) on chin, at that point (b) (6), (b) (7)(C) had brushed the pen out of (b) (6), (b) (7)(C) face with (b) (6), (b) (7)(C) hand. I did not see (b) (6), (b) (7)(C) hand hit (b) (6), (b) (7)(C) face. At this point (b) (6), (b) (7)(C) was shouting and confusing witnesses that (b) (6), (b) (7)(C) had hit (b) (6), (b) (7)(C). While asking the two (b) (6), (b) (7)(C) to move to a more private space, (b) (6), (b) (7)(C) was in the back of crowd confirming the witnesses and reassuring (b) (6), (b) (7)(C) story of what people saw. Finally when I was able to get (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) in the office, sat them both down to figure out what happened. (b) (6), (b) (7)(C) was focused on me because I was standing right there, pushing me to say in my statement that I saw (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) when I didn't. All of a sudden, (b) (6), (b) (7)(C) targets me and starts making false and embarrassing accusations of my personal life and threatening my job title if I was going to "lie" to protect (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) got really emotional and stared screaming and shouting at (b) (6), (b) (7)(C) in the office because I didn't agree. Beginning to think that (b) (6), (b) (7)(C) is mentally unstable to work because of how reoccurring (b) (6), (b) (7)(C) popping up with problems with other employees.

(b) (6), (b) (7)(C)

Print \*

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

1/8

Sign \*

(b) (6), (b) (7)(C)

Date

1/8

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

18

Walked UP Mid-Conversation, Words were  
said, Aggression was shown from both sides.

Employees were face to face, (b) (6), (b) (7)(C) as the  
aggressor at this point, "Hit me".

(b) (6), (b) (7)(C)

, Being the intimidating person ~~the~~  
Came off aggressive in the situation.

did not physically see ~~a~~ a punch thrown.

(b) (6), (b) (7)(C) ( )

**From:** (b) (6), (b) (7)(C) ( )  
**Sent:** Wednesday, (b) (6), (b) (7)(C) 2018 9:11 AM  
**To:** (b) (6), (b) (7)(C) ( ); (b) (6), (b) (7)(C) ( )  
**Cc:** (b) (6), (b) (7)(C) ( )  
**Subject:** (b) (6), (b) (7)(C) /2018 Confrontation Statement

To whom it may concern,

(b) (6), (b) (7)(C) 2018 at (b) (6), I was walking past the a bulletin board on my way to the DMV when I stopped to see why the (b) (6), (b) (7)(C) employees were crowding each other. I stopped and asked (b) (6) what everyone was signing up for. At the head of the line were (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) it appeared they were both aiming for the list with the most names on it. (b) (6), (b) (7)(C) was attempting to look at a list up close when (b) (6), (b) (7)(C) asked (b) (6), not to get way then proceeded to physically put (b) (6), arm out to remove (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) did not step back and remained in the same position to continue looking at the list. (b) (6), (b) (7)(C) insisted that (b) (6), (b) (7)(C) needed to leave and proceeded to intimidate (b) (6), (b) (7)(C) into leaving. (b) (6), (b) (7)(C) did not stand down from the confrontation and continued to mumble words I was not able to hear. After a few seconds of bickering and continuing to force each other out (b) (6), (b) (7)(C) called out for (b) (6), (b) (7)(C) to deescalate the confrontation, claiming that (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). During the confrontation I was standing approximately 3-feet away from both employees and the only physical contact I witnessed was (b) (6), (b) (7)(C) initial attempt to push (b) (6), (b) (7)(C) aside. My concern in this matter lies in (b) (6), (b) (7)(C) sporadic and aggressive behavior, which I have personally experienced a number of times as an (b) (6), (b) (7)(C). I did not write a statement for the following event however, my first week at the Georgetown Center there was a very hostile verbal altercation in the (b) (6), (b) (7)(C) office between (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) seniority. (b) (6), (b) (7)(C) was also there as a witness. Furthermore, I would like to submit this as an official statement as an expression of my concern for the future of this operation.

Thank you,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

2018

Incident between (b) (6), (b) (7)(C)

First of all, I don't get the behavior and attitude of (b) (6), (b) (7)(C)

My position or view point of this incident is from standing behind (b) (6), (b) (7)(C).

There were a bunch a people signing the bid sheets all at once, meaning that it was crowded. Having said that (b) (6), (b) (7)(C) was in amongst everyone, (b) (6), (b) (7)(C) was actually under (b) (6), (b) (7)(C) left arm pit while (b) (6), (b) (7)(C) was trying to sign one of the bid sheets and (b) (6), (b) (7)(C) was to the left of (b) (6), (b) (7)(C) there may have even been someone to the right of (b) (6), (b) (7)(C) (not sure...it was crowded up there)...so (b) (6), (b) (7)(C) was crouched down in between the both of them. Once (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were done (b) (6), (b) (7)(C) took over the entire board and blocked everyone else with (b) (6), (b) (7)(C) back as (b) (6), (b) (7)(C) continued to sign (b) (6), (b) (7)(C) name and take pictures of the sheets with (b) (6), (b) (7)(C) phone ( which I thought were not allowed ). (b) (6), (b) (7)(C) was done signing the bid sheet for the part time to full time bid sheet....moved over slightly to the next one, so (b) (6), (b) (7)(C) leaned in with (b) (6), (b) (7)(C) arm to sign the sheet and (b) (6), (b) (7)(C) took offense and said very loudly "Excuse me (b) (6), (b) (7)(C) I was here first." (b) (6), (b) (7)(C) responded " I have to get to my other job...I just want to sign my name." (b) (6), (b) (7)(C) got loud again saying " Wait your turn".

So I don't get it. (b) (6), (b) (7)(C) was pushing (b) (6), (b) (7)(C) way in the crowd, but when someone else leans in.....not even touching (b) (6), (b) (7)(C)...to sign the sheet (b) (6), (b) (7)(C) was done with... (b) (6), (b) (7)(C) takes offense to that.

(b) (6), (b) (7)(C) started accusing (b) (6), (b) (7)(C) of touching (b) (6), (b) (7)(C) and pushing (b) (6), (b) (7)(C) and called for a (b) (6), (b) (7)(C) ....which (b) (6), (b) (7)(C) happened to be near. I never saw (b) (6), (b) (7)(C) push or touch (b) (6), (b) (7)(C)

This is just my opinion. (b) (6), (b) (7)(C) seems to think (b) (6), (b) (7)(C) is privileged in every thing at the hub and to me seems to be somewhat of a bully. (b) (6), (b) (7)(C) gets loud when (b) (6), (b) (7)(C) does not get want (b) (6), (b) (7)(C) wants or things don't go (b) (6), (b) (7)(C) way. (b) (6), (b) (7)(C) is quick to accusing people but does not like it when the table is turned. I don't like seeing people getting arguments over silly things but (b) (6), (b) (7)(C) seems to be the middle of a lot them.

(b) (6), (b) (7)(C)



To whom it may concern,

On Wednesday, (b) (6), (b) (7)(C) 2018 at about 0845, I witness a disagreement between (b) (6), (b) (7)(C). I was there waiting to sign the bid list that were posted, I had put my name down on the few that were on the edge but the ones in the middle of the board they were hard to get to because everyone was in a gaggle so I stood back and waited. Then (b) (6), (b) (7)(C) approached the area pulled a pen out it was red and it had the little rubber tip on it for the touchscreen device stylus deal and (b) (6), (b) (7)(C) made (b) (6), (b) (7)(C) way through the gaggle to get to the middle section of the board. (b) (6), (b) (7)(C) was in front of the board and I saw (b) (6), (b) (7)(C) tell (b) (6), (b) (7)(C) something and (b) (6), (b) (7)(C) backed up behind (b) (6), (b) (7)(C) for a minute or two and when (b) (6), (b) (7)(C) moved over (b) (6), (b) (7)(C) was trying to finish writing (b) (6), (b) (7)(C) name and phone number down. (b) (6), (b) (7)(C) ended up turning around and I was not close enough to hear what was said but I saw (b) (6), (b) (7)(C) back up and (b) (6), (b) (7)(C) was pointing (b) (6), (b) (7)(C) finger or pen in (b) (6), (b) (7)(C) face and as (b) (6), (b) (7)(C) was backed up (b) (6), (b) (7)(C) swatted her hand in front of (b) (6), (b) (7)(C) face like swatting a fly off your face type. (b) (6), (b) (7)(C) they kept arguing pointing and standing

about a minute or two and [REDACTED] (b) (6), (b) (7)(C) was trying to finish writing [REDACTED] (b) (6), (b) (7)(C) name and phone number down. [REDACTED] (b) (6), (b) (7)(C) ended up turning around and I was not close enough to hear what was said but I saw [REDACTED] (b) (6), (b) (7)(C) back up and [REDACTED] (b) (6), (b) (7)(C) was pointing [REDACTED] (b) (6), (b) (7)(C) finger or pen in [REDACTED] (b) (6), (b) (7)(C) face and as [REDACTED] (b) (6), (b) (7)(C) was backed up [REDACTED] (b) (6), (b) (7)(C) swatted [REDACTED] (b) (6), (b) (7)(C) hand in front of [REDACTED] (b) (6), (b) (7)(C) face like swatting a fly off ~~you~~ or away from your face type. At that point, they kept arguing pointing pens in each others faces and [REDACTED] (b) (6), (b) (7)(C) was standing behind me and I told [REDACTED] (b) (6), (b) (7)(C) you need to call somebody over here before they get in a fight. I know that [REDACTED] (b) (6), (b) (7)(C) and [REDACTED] (b) (6), (b) (7)(C) both have strong personalities that is why I told [REDACTED] (b) (6), (b) (7)(C) to call somebody. Then [REDACTED] (b) (6), (b) (7)(C) looked over [REDACTED] (b) (6), (b) (7)(C) shoulder and [REDACTED] (b) (6), (b) (7)(C) and started yelling [REDACTED] (b) (6), (b) (7)(C) name and [REDACTED] (b) (6), (b) (7)(C).

came over and started telling (b) (6), (b) (7)(C) to go and  
leave and get away. (b) (6), (b) (7)(C) was saying that (b) (6), (b) (7)(C)  
and that (b) (6), (b) (7)(C) needed to be terminated.  
where I was standing it I just saw (b) (6), (b) (7)(C) turn  
and (b) (6), (b) (7)(C) backed up and did that swatting  
a fly type motion in front of (b) (6), (b) (7)(C) face but I did  
not see any (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) did  
not hit her.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

16.

I was standing behind (b) (6), (b) (7)(C) while (b) (6), (b) (7)(C) was still filling out the Bid lists. (b) (6), (b) (7)(C) came up behind (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) left side and reached in front of (b) (6), (b) (7)(C) face to sign a bid sheet. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) she needs to get back and wait til (b) (6), (b) (7)(C) was done. (b) (6), (b) (7)(C) stepped back for a second, then said fuck this I need to go. And (b) (6), (b) (7)(C) put (b) (6), (b) (7)(C) arm in front of (b) (6), (b) (7)(C) again and was filling out the bid sheet. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) again you need to wait your turn. (b) (6), (b) (7)(C) & (b) (6), (b) (7)(C) started Arguing again. I looked over at (b) (6), (b) (7)(C) and said you need to get over here. When (b) (6), (b) (7)(C) got to the group, I heard (b) (6), (b) (7)(C) say we can have problems if you want. Then (b) (6), (b) (7)(C) swung (b) (6), (b) (7)(C) hand at (b) (6), (b) (7)(C) face. (b) (6), (b) (7)(C) then looked at (b) (6), (b) (7)(C) and said you just seen (b) (6), (b) (7)(C) hit me. I don't know what exactly (b) (6), (b) (7)(C) had in (b) (6), (b) (7)(C) hands but it made contact with (b) (6), (b) (7)(C) face.

EMP ID#

# Discipline Report

YTD

10/20/18 2:17:58AM

## Capital

Date	Emp ID	Name	Type of Letter - Labor Code - Date of Incident - Discussion
(b) (6), (b) (7)(C)/18			TERM - 48 HOUR - (b) (6), (b) (7)(C)/2018 - Termination,
(b) (6), (b) (7)(C)/18			48 HOUR - 48 HOUR (b) (6), (b) (7)(C)/2018 - 48 hour,
(b) (6), (b) (7)(C)/18			WRN - ATT (b) (6), (b) (7)(C)/2018 - undependability - reported late to work on (b) (6), (b) (7)(C)-18 and (b) (6), (b) (7)(C)-18,
(b) (6), (b) (7)(C)/18			WRN - MIS (b) (6), (b) (7)(C)/2018 - Failure to follow methods, processes and procedures. Had mis-load on (b) (6), (b) (7)(C)-18, (b) (6), (b) (7)(C)-18,
(b) (6), (b) (7)(C)/18	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	WRN - upc (b) (6), (b) (7)(C)/2018 - Failed to follow UPS Professional Conduct Policy- Acted in an unprofessional manner during an incident that occurred with another employee,
(b) (6), (b) (7)(C)/18			WRN - ATT (b) (6), (b) (7)(C)/2018 - Reported late to work,
(b) (6), (b) (7)(C)/18			IDIS - ATT (b) (6), (b) (7)(C)/2018 - No Call No Show,
(b) (6), (b) (7)(C)/18			ISUS - ATT (b) (6), (b) (7)(C)/2018 - No Call No Show,
(b) (6), (b) (7)(C)/18			ISUS - ATT (b) (6), (b) (7)(C)/2018 - failed to report to work at scheduled start time,
(b) (6), (b) (7)(C)/18			WRN - ATT (b) (6), (b) (7)(C)/2018 - was late to work,
(b) (6), (b) (7)(C)/18			48 HOUR - 48 HOUR (b) (6), (b) (7)(C)/2018 - 48 HOUR,
(b) (6), (b) (7)(C)/18	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	ISUS - Upc (b) (6), (b) (7)(C)/2018 - unprofessional conduct,
(b) (6), (b) (7)(C)/18	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	WRN - upc (b) (6), (b) (7)(C)/2018 - Failed to follow UPS Professional Conduct Policy - Acted in an unprofessional manner during an incident that occurred with another employee,
(b) (6), (b) (7)(C)/18			IDIS - ATT (b) (6), (b) (7)(C)/2018 - No Call No Show,
(b) (6), (b) (7)(C)/18			WRN - INS (b) (6), (b) (7)(C)/2018 - failed to follow proper methods and procedures, was stacked out causing egress issues and failed to catch his packages causing excessive recycles,
(b) (6), (b) (7)(C)/18			IDIS - ATT (b) (6), (b) (7)(C)/2018 - Called in,
(b) (6), (b) (7)(C)/18			RISUS - ATT (b) (6), (b) (7)(C)/2018 - ISUS reduced to 1 day suspension,





## Professional Conduct and Anti-Harassment Policy

UPS is proud of its professional and congenial work environment and will take all necessary steps to ensure that our workplace remains pleasant for everyone. In order to maintain a positive work environment, all employees must treat each other with courtesy, consideration, and professionalism. The Company prohibits unprofessional and discourteous actions, even if those actions do not constitute unlawful harassment.

In addition, harassment of any person or group of persons on the basis of race, sex, national origin, disability, sexual orientation, age or religion is a form of unlawful discrimination which is specifically prohibited in the UPS community and which may subject the Company and/or the individual harasser to liability. Accordingly, derogatory or other inappropriate remarks, slurs, threats or jokes will not be tolerated. Similarly, inappropriate visual and non-verbal objects or conduct are unacceptable and will not be tolerated. Likewise, inappropriate physical contact will not be allowed in our workplace. In other words, UPS will not tolerate harassment of any employee by anyone for any reason.

Sexual harassment is one example of inappropriate harassing behavior. Specifically, sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition Of the individual's employment;
2. Submission to or rejection of the conduct is used as the basis for an employment Decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the Employee's work performance or creating an environment that is intimidating, hostile or offensive to the employee.

Each employee must exercise his or her own good judgement to avoid engaging in conduct that may be perceived by others as harassment. Generally, forms of harassment include, but are not limited to:

1. Verbal: repeated sexual innuendos, racial or sexual epithets, derogatory slurs or remarks, off-color jokes, propositions, threats, or suggestive or insulting sounds;
2. Visual/Non-verbal: derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; or obscene gestures;
3. Physical: unwanted physical contact, including horseplay, touching, interference with an individual's normal work movement, or assault; and
4. Other: making or threatening reprisals as a result of a negative response to harassment.

Any employee who witnesses objectionable conduct or believes that he or she is subject to or may be subjected to objectionable conduct must report it immediately to a supervisor or manager, a Human Resources representative, the Human Resources manager, the Employee Relations manager, or the UPS Help Line at 1-800-220-4126. These reports may be made verbally or in writing. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No employee in this organization is exempt from this policy.

In response to such reports, UPS will conduct a prompt and thorough investigation. To the extent possible, investigations will be kept confidential among the employees concerned and those employees who need to be informed in order to complete the investigation. Any employee who brings such a report to the attention of the Company in good faith and/or provides information related to such a report will not be adversely affected or retaliated against. UPS will take immediate and appropriate corrective action whenever it determines that harassment has occurred. Any employee who violates this policy may be subject to termination or other disciplinary action.

03  
Region

12  
District

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

1/18

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

EHP0139

states  
hasn't been  
advised in at least 2 years



## United Parcel Service Statement of Policy on Workplace Violence

Verbal or physical threats of the intent to cause harm to others, to one's self or to property on or in UPS facilities, vehicles, parking lots, customer premises while on duty or during personal breaks will not be tolerated.

### THE UPS POLICY BOOKS STATES:

**We stress safety throughout our company.**

The safety of our people and of the general public is of utmost importance to us.

Any such reported behavior or acts will be promptly investigated. Types of incidents, which will be investigated, include:

- Threats to cause physical assault with or without a weapon.
- Verbal assault, fights
- Threats
- Intimidation
- Worksite damage, damage to UPS property or property of customers
- Personal property damage

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Substantiated threatening behavior or acts will result in disciplinary action up to and including dismissal and may subject the offender to personal legal and financial liability. Employees who believe that they or others are subject to or at risk to any types of workplace violence as described above, should report any concerns to the Human Resources Manager. Managers and Supervisors are responsible for maintaining an environment free of workplace violence or threats of violence. That responsibility includes reporting incidents to the Human Resources Manager.

### Reporting Procedure:

If you believe that you or others are subject to or are aware of a situation that could constitute workplace violence or a potential for workplace violence, immediately notify your Manager and your Human Resources Manager. The matter will be promptly investigated. United Parcel Service will take prompt corrective action against workplace violence. Anyone who is found, upon investigation, to have engaged in workplace violence or any threat will be subject to appropriate discipline up to and including termination of employment and may be subject to personal legal and financial liability.

This policy applies

Employee Signature

Date

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

18

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) 18 9:44 AM

C:\Users\trd8zpb\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\PNRE0KWL  
WorkplaceViolence.doc

*Handwritten note:*  
This policy has not been revised in at least 2 years.



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UPS is proud of its professional and congenial work environment and will take all necessary steps to ensure that our workplace remains pleasant for everyone. In order to maintain a positive work environment, all employees must treat each other with courtesy, consideration, and professionalism. The Company prohibits unprofessional and discourteous actions, even if those actions do not constitute unlawful harassment.

In addition, harassment of any person or group of persons on the basis of race, sex, national origin, disability, sexual orientation, age or religion is a form of unlawful discrimination which is specifically prohibited in the UPS community and which may subject the Company and/or the individual harasser to liability. Accordingly, derogatory or other inappropriate remarks, slurs, threats or jokes will not be tolerated. Similarly, inappropriate visual and non-verbal objects or conduct are unacceptable and will not be tolerated. Likewise, inappropriate physical contact will not be allowed in our workplace. In other words, UPS will not tolerate harassment of any employee by anyone for any reason.

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3. Physical: unwanted physical contact, including horseplay, touching, interference with an individual's normal work movement, or assault; and
4. Other: making or threatening reprisals as a result of a negative response to harassment.

Any employee who witnesses objectionable conduct or believes that he or she is subject to or may be subjected to objectionable conduct must report it immediately to a supervisor or manager, a Human Resources representative, the Human Resources manager, the Employee Relations manager, or the UPS Help Line at 1-800-220-4126. These reports may be made verbally or in writing. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No employee in this organization is exempt from this policy.

In response to such reports, UPS will conduct a prompt and thorough investigation. To the extent possible, investigations will be kept confidential among the employees concerned and those employees who need to be informed in order to complete the investigation. Any employee who brings such a report to the attention of the Company in good faith and/or provides information related to such a report will not be adversely affected or retaliated against. UPS will take immediate and appropriate corrective action whenever it determines that harassment has occurred. Any employee who violates this policy may be subject to termination or other disciplinary action.

03  
Region

12  
District

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Employee ID Number

Date

(b) (6), (b) (7)(C)

EHP0139

## United Parcel Service Statement of Policy on Workplace Violence

Verbal or physical threats of the intent to cause harm to others, to one's self or to property on or in UPS facilities, vehicles, parking lots, customer premises while on duty or during personal breaks will not be tolerated.

### THE UPS POLICY BOOKS STATES:

**We stress safety throughout our company.**

The safety of our people and of the general public is of utmost importance to us.

Any such reported behavior or acts will be promptly investigated. Types of incidents, which will be investigated, include:

- Threats to cause physical assault with or without a weapon.
- Verbal assault, fights
- Threats
- Intimidation
- Worksite damage, damage to UPS property or property of customers
- Personal property damage

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Substantiated threatening behavior or acts will result in disciplinary action up to and including dismissal and may subject the offender to personal legal and financial liability. Employees who believe that they or others are subject to or at risk to any types of workplace violence as described above, should report any concerns to the Human Resources Manager. Managers and Supervisors are responsible for maintaining an environment free of workplace violence or threats of violence. That responsibility includes reporting incidents to the Human Resources Manager.

### Reporting Procedure:

If you believe that you or others are subject to or are aware of a situation that could constitute workplace violence or a potential for workplace violence, immediately notify your Manager and your Human Resources Manager. The matter will be promptly investigated. United Parcel Service will take prompt corrective action against workplace violence. Anyone who is found, upon investigation, to have engaged in workplace violence or any threat will be subject to appropriate discipline up to and including termination of employment and may be subject to personal legal and financial liability. This policy applies

(b) (6), (b) (7)(C)

Employee Signature \_\_\_\_\_

(b) (6), (b) (7)(C)

Date \_\_\_\_\_

(b) 18 9:44 AM

C:\Users\rrd8zpb\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\PNRE0KWL\WorkplaceViolence.doc

# **EXHIBIT F**



**WARNING**

**SUSPENSION**

**DISCHARGE**

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

2018

Employee Identification Number

(b) (6), (b) (7)(C)

7871 Georgetown

7871

JOB CLASSIFICATION

Center Name

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Failure to follow UPS

professional conduct policy

FACTS (Include date of meeting and infraction date and/or Management's discovery date):

Incident occurred on (b) (6), (b) (7)(C) /18. Employee acted in an unprofessional manner during an incident that occurred with another employee.

(b) (6), (b) (7)(C)

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) FAILURE TO FOLLOW UPS CODE OF CONDUCT.

on (DATE OF INFRACTION). This letter is in accordance with Article 52.

(b) (6), (b) (7)(C) 2018

EMPLOYEE'S COMMENTS:

(b) (6), (b) (7)(C)

REMARKS OR COMMENTS

fellow employ did not want to sign

However, continued occur further disciplinary action up to and including discharge

OTHERS CONTACTED OR INVOLVED:

Company: (names of participants): (b) (6), (b) (7)(C)

Union: (names of participants): (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Steward Signature:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

1/18

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Signature

Employee Signature

(b) (6), (b) (7)(C)

I have been offered union representation.

Signed:

I have declined union representation.

Signed:

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

initial

and forward to Labor Relations Department

LABOR FAX 210-684-1991

Teamsters Local 657

Trking # (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

1-18

nner



UPS



SUSPENSION



Security Code

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Employee's Name

Employee Identification Number

(b) (6), (b) (7)(C)

Geographical

7871

Job Classification

Current Name

Gender

cc: Center File, Labor and copy to Employee & Steward after signing

Reason: (Failure to fulfill the obligations and requirements of the job);

Unprofessional Conduct on (b) (6), (b) (7)(C) 18

FACTS (Include date of meeting and info from date and/or Management's 4 in chronological order)

Employee failed to follow UPS Professional conduct Policy acted in an unprofessional manner  
Employee was served Warning Letter (b) (6), (b) (7)(C), 2018

This letter is in accordance with Article 32.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED:

Company: Best Western

Union

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Steward Signature

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date of meeting

Steward

I have been offered union representation

I have declined union representation.

Signed

cc: Center File, Labor and copy to Employee & Steward after signing

Driver Manager

Initial

and forward to Labor Relations Department

LABOR PAX 810 851 1405

Teamsters Local 657

Tracking #

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) 18



United Parcel Service



**WARNING**

USPENSIO

DISCHARGE

Seniority Dates

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

14

(b) (6), (b) (7)(C)

Georgetown

7871

Job Classification

Center Name

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON: Failure to fulfill the obligations and requirements of the job

Failure to follow proper break procedures

FACTS: Include date of incident and duration date and/or Management's discovery date:

On 1/8/18 (b) (6), (b) (7)(C) came back to work at 10:05 am 5 minutes late

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) failure to follow proper break procedures.

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED: Compar

(b) (6), (b) (7)(C)

Unit

Steward Signature

(b) (6), (b) (7)(C)

Date of meeting

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I have been offered Union representation

I have declined Union representation

Signed

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

Local

and forward to Labor Relations Department

LABOR FAX 216 654 1851

Teamsters Local 657

Trking # (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

18

United Parcel Service



**WARNING**

SUSPENSION

DISCHARGE

Seniority Dates:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

4

Employee's Name

Employee Identification Number

(b) (6), (b) (7)(C)

Georgetown

7871

Job Classification

Center Name

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Failure to follow multiple instructions

On (b) (6), (b) (7)(C) 18, (b) (6), (b) (7)(C) failed to follow supervisor's instructions.

(b) (6), (b) (7)(C) was instructed to go back to (b) (6), (b) (7)(C) work area 2 - 3 times

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) failure to follow instructions.

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED: Company

Union

(b) (6), (b) (7)(C)

Steward Signature

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I have been offered union representation.

Signed

I have declined union representation.

Signed

cc: Center File, Labor and copy to Employee & Steward after signing

Dispatch Manager

Model

and forward to Labor Relations Department

LABOR FAX 710.861.1591

Teamsters Local 657

Trking # (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

-18



United Parcel Service



**WARNING**

**DISPENSIC**

**DISCHARGE**

Seniority Date

(b) (6), (b) (7)(C)

Employee's Name

(b) (6), (b) (7)(C)

Employee Identification Number

(b) (6), (b) (7) 18

(b) (6), (b) (7)(C)

Job Classification

Georgetown

Center Name

7871

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON: It is used to fulfill the obligations and requirements of the job:

Failure to follow supervisor's instructions.

On (b) (6), (b) (7)(C) 2018 (b) (6), (b) (7)(C) was instructed to clock out and go home.

(b) (6), (b) (7)(C) did not follow orders and continued to stay on the clock.

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) failure to follow supervisor's instructions.

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

(b) (6), (b) (7)(C)

OTHERS CONTACTED OR INVOLVED: Company:

(b) (6), (b) (7)(C)

Union:

Steward Sign

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

18

Date of meeting

(b) (6), (b) (7)(C)

Signature

I have been offered Union representation

Signed

I have declined union representation

Signed

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

Initial

and forward to Labor Relations Department - LABOR FAX 210-661 1691

Teamsters Local 657

Trking

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) 18

6400 Seven States Boulevard  
San Antonio, TX 78244



(b) (6), (b) (7)(C) 2018

(b) (6), (b) (7)(C) (Georgetown)  
Employee ID# (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Certified Mail # (b) (6), (b) (7)(C)

Fr: (b) (6), (b) (7)(C)

Re: Intent to Suspend Letter Withdrawn

A letter was issued on (b) (6), (b) (7)(C) 2018, advising you of the intent to suspend without pay because of your unprofessional conduct on (b) (6), (b) (7)(C) 2018.

This letter is to inform you that your intent to suspend for your unprofessional conduct dated (b) (6), (b) (7)(C) 2018, has been withdrawn due to an incorrect infraction date.

PP/ (b) (6), (b) (7)(C)

cc: (b) (6), (b) (7)(C)

Local Union # 657 - Tracking # (b) (6), (b) (7)(C)

# **EXHIBIT G**



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Tracklog

Time Stamp Here



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2813 FAX (210) 590-4428

DATE:

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYEE

OUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION Georgetown START TIME

STEWARD'S NAME

EMPLOYER UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

On 11/18, I was wrongfully disqualified from my packet. I do not agree with the decision made by the Georgetown facility management. Please see attachment.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

to finish my packet to where I left off when I was disqualified and to receive pay for each day I was not allowed to work and everything made whole.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

48, 49

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

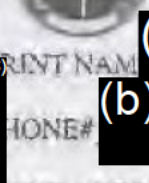
FOR THE EMPLOYER

FOR THE UNION





(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657

## GRIEVANCE FORM

1214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (310) 598-2013 FAX (210) 598-4428

DATE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

PHONE# \_\_\_\_\_

YOUR ADDRESS \_\_\_\_\_

CLASSIFICATION \_\_\_\_\_

STEWARD'S NAME \_\_\_\_\_

LAST 4 DIGITS OF SSN: \_\_\_\_\_

CITY/ST/ZIP: \_\_\_\_\_

WORK LOCATION: \_\_\_\_\_

EMPLOYER: UPS

TODAY'S DATE: \_\_\_\_\_

EMPLOYEE: \_\_\_\_\_

START TIME: \_\_\_\_\_

**GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.**

On 1/8/18, I kept staring me down, walking by my desk and standing in front of my desk trying to intimidate me. Then [redacted] came in my room cursing me.

**SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING**

[redacted] needs to be held accountable for violating the code of conduct with [redacted] behavior to intimidate and harass me.

**GRIEVANT'S SIGNATURE** \_\_\_\_\_

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information is pertinent to my grievance.

**(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)**

37, 46

**REPORT OF GRIEVANCE DECISION.** Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION \_\_\_\_\_

FOR THE EMPLOYER \_\_\_\_\_

FOR THE UNION \_\_\_\_\_



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-3813 FAX (210) 590-4420

NAME

(b) (6), (b) (7)(C)

LAST 4 DIGITS OF SSN

(b) (6), (b) (7)(C)

TODAY'S DATE

(b) (6), (b) (7)(C)

NE#

(b) (6), (b) (7)(C)

SENIORITY DATE

(b) (6), (b) (7)(C)

EMPLOYEE #

(b) (6), (b) (7)(C)

R ADDRESS

(b) (6), (b) (7)(C)

CITY/ST/ZIP

(b) (6), (b) (7)(C)

SSIFICATION

(b) (6), (b) (7)(C)

WORK LOCATION

George Town

START TIME

(b) (6), (b) (7)(C)

WARD'S NAME

(b) (6), (b) (7)(C)

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 1/18, I was given a suspension for unsatisfactory conduct. I firmly disagree with this course of action, and I am removed from my position today.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

be then removed from my record and to be paid my rate for a guaranteed right and everything made whole.

GRIEVANT'S SIGNATURE

(b) (6), (b) (7)(C)

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility. In filing out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

252

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION

UPS 5122445004

2018 10:56:22 AM



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGEMENT)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

PRINT NAME (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C) TODAY'S DATE 8  
PHONE (b) (6), (b) (7)(C) SENIORITY DATE (b) (6), (b) (7)(C) EMPLOYEE # (b) (6), (b) (7)(C)  
YOUR ADDRESS (b) (6), (b) (7)(C) CITY/ST/ZIP (b) (6), (b) (7)(C)  
CLASSIFICATION (b) (6), (b) (7)(C) WORK LOCATION Georgetown START TIME (b) (6), (b) (7)(C)  
STEWARDS NAME (b) (6), (b) (7)(C) EMPLOYER UPS

**GRIEVANCE:** GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY: Group text sent by (b) (6), (b) (7)(C) looking for volunteers to work at the new machine to test out @ (b) (6), (b) (7)(C) Employees with less seniority was asked/texted but I was not.

**SETTLEMENT REQUESTED:** TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING be paid the amount of hours worked by those who volunteered include overtime that would have generated since I had nobody worked (b) (6), (b) (7)(C) and everything made whole. (b) (6), (b) (7)(C)

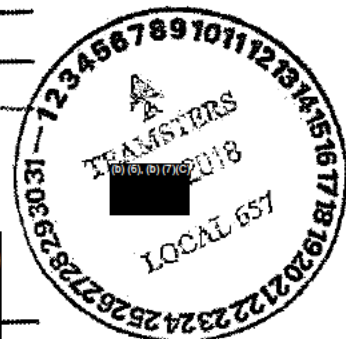
GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" [LIST CONTRACT ARTICLE(S) VIOLATED] 49

**REPORT OF GRIEVANCE DECISION.** Provide a copy of the decision to management, the grievant and the Local Union.

No violation



(b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C)

PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

DATE:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

NE

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

DATE

EMPLOYER #

TR ADDRESS

CITY/ST/ZIP

SSIFICATION

WORK LOCATION

START TIME

WARD'S NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, DETAILED DESCRIPTION OF YOUR CASE.

WITNESSED BY:

(b) (6), (b) (7)(C) 18 (b) (6), (b) (7)(C) kept putting (b) (6), (b) (7)(C) finger in my face in a threatening manner trying to provoke me to strike (b) (6), (b) (7)(C) kept telling (b) (6), (b) (7)(C) to stop but (b) (6), (b) (7)(C) wouldn't so (b) (6), (b) (7)(C) got between me and (b) (6), (b) (7)(C) I thought (b) (6), (b) (7)(C) would hit me. SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING Stop the continued harassment and retaliation

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

37, 36

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION





(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

ONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE#

SENIORITY DATE

EMPLOYEE

YOUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARD'S NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, GIVE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 1/8/18, [redacted] approached me and told me I wasn't allowed to leave my belt at all. Other employees weren't told this. I feel I'm being singled out.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

Treated like every employee and for the harassment and retaliation to stop. To be made whole in every way.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining representative in this grievance and to make all necessary decisions in carrying out that responsibility. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

30, 37

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

DATE: (b) (6), (b) (7)(C)

TIME STAMP HERE: (b) (6), (b) (7)(C)

**TEAMSTERS LOCAL 657**  
**GRIEVANCE FORM**

8114 BOUGHBRIDGE SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

PRINT NAME: (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN: (b) (6), (b) (7)(C) TODAY'S DATE: (b) (6), (b) (7)(C) 18

PHONE: (b) (6), (b) (7)(C) SENIORITY DATE: (b) (6), (b) (7)(C) EMPLOYEE #: (b) (6), (b) (7)(C)

OUR ADDRESS: (b) (6), (b) (7)(C) CITY/ST/ZIP: (b) (6), (b) (7)(C)

CLASSIFICATION: (b) (6), (b) (7)(C) WORK LOCATION: Georgetown START TIME: (b) (6), (b) (7)(C)

STEWARDS NAME: (b) (6), (b) (7)(C) EMPLOYER: UPS

**GRIEVANCE:** GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY: (b) (6), (b) (7)(C) 18 during (b) (6), (b) (7)(C) tried to humiliate me when I asked for water. (b) (6), (b) (7)(C) told me to go to Walmart, buy my own, not UPS responsibility to provide water.

**SETTLEMENT REQUESTED:** TO BE MADE WHOLE IN EVERYWAY IN ADDITION TO THE FOLLOWING. We've been without water for over 2 weeks. To have water restored and not only buy one pallet at a time but enough for preload and drivers.

GRIEVANT'S SIGNATURE: (b) (6), (b) (7)(C)

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that grievance in its judgment. In filling out this form and the grievance, the information is pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED) 18

**REPORT OF GRIEVANCE DECISION.** Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION: \_\_\_\_\_

FOR THE EMPLOYER: \_\_\_\_\_ FOR THE UNION: \_\_\_\_\_

PLEASE COMPLETE THE FOLLOWING GRIEVANCE WAS PRESENTED TO: (MANAGER)

1608363031-123456789101112131415161718192021222324252627282930

2018 8:27:37 AM



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

3114 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

ONE

SENIORITY DATE

EMPLOYEE #

OUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 1/18/18, [redacted] humiliated me by yelling that I needed to be escorted from the building for theft / stealing - time because I was over on my break. When [redacted] heard me tell [redacted] I was going to file a grievance on [redacted] for putting [redacted] hand in my face.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

Stop the obvious harassment and retaliation

GRIEVANT'S SIGNATURE

(b) (6), (b) (7)(C)

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility. In filing out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

36, 37

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 BOUGHBRIDGE SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

(b) (6), (b) (7)(C)

DATE

PRINT NAME (b) (6), (b) (7)(C)

LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C)

TODAY'S DATE 18

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

PHONE# (b) (6), (b) (7)(C)

SENIORITY DATE (b) (6), (b) (7)(C)

EMPLOYEE (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

OUR ADDRESS (b) (6), (b) (7)(C)

CITY/ST/ZIP (b) (6), (b) (7)(C)

CLASSIFICATION (b) (6), (b) (7)(C)

WORK LOCATION Georgetown

START TIME (b) (6), (b) (7)(C)

STEWARDS NAME (b) (6), (b) (7)(C)

EMPLOYER UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

(b) (6), (b) (7)(C)

and

(b) (6), (b) (7)(C)

used

(b) (6), (b) (7)(C)

as a

mediator to resolved an issue that they claimed I was involved in despite (b) (6), (b) (7)(C) assaulting me in the past. This happened on (b) (6), (b) (7)(C) 18

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING further retaliation against me because I reported

UPS

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

GRIEVANT'S SIGNATURE

(b) (6), (b) (7)(C)

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

37, 36

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

DATE:

NIO, TX 78139 PH# (210) 590-7013 FAX (210) 590-4420

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYEE

YOUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 11/18/18 (b) (6), (b) (7)(C) involved me in a matter that had nothing to do with me and said that I was part of the problem because of my facial expression.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

Obvious retaliation because UPS received a charged that I made against them (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) to the ALB. (b) (6), (b) (7)(C)

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent and I agree to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and to the best of my knowledge pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

36, 37

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION





(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8714 ROUGHRIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE

PRINT NAME (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C) TODAY'S DATE (b) (6), (b) (7)(C)

PHONE# (b) (6), (b) (7)(C) SENIORITY DATE (b) (6), (b) (7)(C) EMPLOYEE (b) (6), (b) (7)(C)

YOUR ADDRESS (b) (6), (b) (7)(C) CITY/ST/ZIP (b) (6), (b) (7)(C)

CLASSIFICATION (b) (6), (b) (7)(C) WORK LOCATION Georgetown START TIME (b) (6), (b) (7)(C)

STEWARDS NAME (b) (6), (b) (7)(C) EMPLOYER UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

For the past two weeks I have not been asked to be (b) (6), (b) (7)(C) while crown tests have asked people with less seniority. (b) (6), (b) (7)(C) From (b) (6), (b) (7)(C)

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

To be paid all time by any junior employee that has performed this work and everything made whole.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

49

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION





(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8114 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

Time Stamp Here

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYER

YOUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

18 I reported (b) (6), (b) (7)(C) to the UPS hotline for harassment and retaliation. (b) (6), (b) (7)(C) removed me from my work area and made me work in (b) (6), (b) (7)(C) instead of going by seniority. This is the first time of seniority violation. SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING To stop harassment and retaliation and everything made whole.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information is pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

37, 49

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

DATE

NIO, TX 78239 PHN (210) 590-2013 FAX (210) 590-4420

PRINT NAME

LAST 4 DIGITS OF SSN#

TODAY'S DATE

PHONE#

SENIORITY DATE

EMPLOYEE #

OUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARD'S NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE LEGIBLE DESCRIPTION OF YOUR CASE.

On 8 I informed [redacted] in [redacted] presence that I would file grievances. [redacted] Write me up for stealing time which [redacted] did on 8. Some day that I filed my grievances.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING  
To cease and desist in retaliation and harassment. Have [redacted] written reprimand thrown out.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

37

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGHBRIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYEE #

OUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

**GRIEVANCE:** GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 18 came up to me and told me that I'm not to leave my area under any circumstances. I was the only employee singled out for this and treated like a child.

**SETTLEMENT REQUESTED:** TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

To stop the harassment and retaliation

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining representative in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

37

**REPORT OF GRIEVANCE DECISION.** Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

3/5

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

PRINT NAME (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C) TODAY'S DATE 18  
PHONE# (b) (6), (b) (7)(C) SENIORITY DATE EMPLOYEE # (b) (6), (b) (7)(C)

HOME ADDRESS (b) (6), (b) (7)(C) ST/Z (b) (6), (b) (7)(C)  
CLASSIFICATION (b) (6), (b) (7)(C) WORK LOCATION Georgetown START TIME (b) (6), (b) (7)(C)  
WARD'S NAME (b) (6), (b) (7)(C) EMPLOYER URS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE  
THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A  
SEPARATE SHEET PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

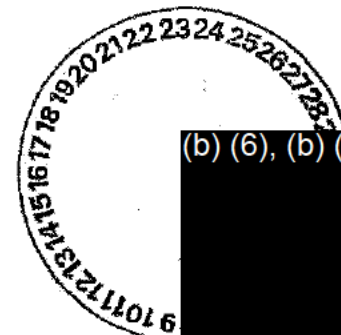
WITNESSED BY (b) (6), (b) (7)(C) attempted to get me to sign  
a discipline letter for Stealing time and I refused  
because we were already issued one. I was there to represent  
me. I wanted (b) (6), (b) (7)(C) to represent me but (b) (6), (b) (7)(C) said no.  
SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING  
Cannot deny me my right to choose union  
representation of my choice.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining  
agent in this grievance and to make all necessary decisions in carrying out that respon-  
sibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information  
pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT  
THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED) 4,2)

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and  
the Local Union. Company will comply



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

18  
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657

## GRIEVANCE FORM

22 WTS

ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

Time Stamp Here

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYEE

YOUR ADDRESS

CLASSIFICATION

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET PLEASE PROVIDE A COMPLETE LEGIBLE DESCRIPTION OF YOUR CASE.

on 1/8 (b) (6), (b) (7)(C) signed a warning letter

issued to me for discipline in relation to ~~these~~ accusing me of stealing time. I was not present for this meeting between (b) (6), (b) (7)(C) and I didn't choose to represent me or to sign it.

REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ANY OF THE FOLLOWING TO CEASE AND DESIST WITH MANAGEMENT AND working against me and filing false documentation, which they signed.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

42137

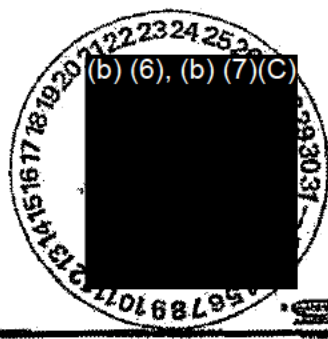
REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION

PLEASE COMPLETE THE FOLLOWING GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

8114 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE

SENIORITY DATE

EMPLOYEE

OR ADDRESS

Y/ST/ZE

CLASSIFICATION

WORK LOCATION

START TIME

WARD'S NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE

ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED BY:

On 1/18/18 (b) (6), (b) (7)(C) signed a warning letter issued to me for discipline for leaving my work area. Signed

BTS even though I was not present for this meeting between (b) (6), (b) (7)(C) I did not choose (b) (6), (b) (7)(C) to represent me.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE (b) (6), (b) (7)(C)

To cease and desist with management and (b) (6), (b) (7)(C) for working against me and filing false documentation in which they signed (b) (6), (b) (7)(C)

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information is pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

421

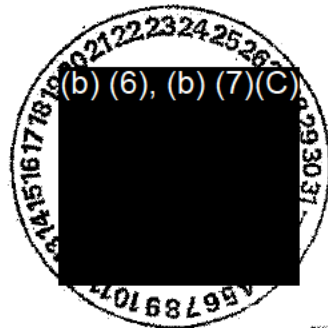
REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION

PLEASE COMPLETE THE FOLLOWING GRIEVANCE WAS PRESENTED TO: (MANAGER)





(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

DATE

(b) (6), (b) (7)(C) ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420 (b) (6), (b) (7)(C)

PRINT NAME (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C) TODAY'S DATE 1/8

PHONE# (b) (6), (b) (7)(C) SENIORITY DATE (b) (6), (b) (7)(C) EMPLOYEE # 4805046

YOUR ADDRESS (b) (6), (b) (7)(C) CITY/STATE (b) (6), (b) (7)(C)

CLASSIFICATION (b) (6), (b) (7)(C) WORK LOCATION Georgetown START TIME (b) (6), (b) (7)(C)

STEWARDS NAME (b) (6), (b) (7)(C) EMPLOYER CPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

On 1/8 I reported to work on a (b) (6), (b) (7)(C) instead of doing my normal job. (b) (6), (b) (7)(C) told me to (b) (6), (b) (7)(C) although I've never done it. I explained my body was sore. (b) (6), (b) (7)(C) stated if I didn't (b) (6), (b) (7)(C) I couldn't return to work until I had a doctors release from being sore. SETTLEMENT REQUESTED: (b) (6), (b) (7)(C) HOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING Abusing (b) (6), (b) (7)(C) position as (b) (6), (b) (7)(C) to further harass and retaliate against me.

GRIEVANT'S SIGNATURE

(b) (6), (b) (7)(C)

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and I am aware of the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

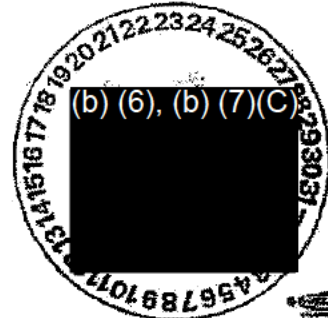
36, 37, 49

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

1/5



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGHRYDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

PRINT NAME

(b) (6), (b) (7)(C)

LAST 4 DIGITS OF SSN#

(b) (6), (b) (7)(C)

TODAY'S DATE

PHONE#

(b) (6), (b) (7)(C)

SENIORITY DATE

(b) (6), (b) (7)(C)

EMPLOYER #

(b) (6), (b) (7)(C)

ADDRESS

(b) (6), (b) (7)(C)

CITY/ST/ZIP

(b) (6), (b) (7)(C)

SIFICATION

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

WORK LOCATION

George Town

START TIME

(b) (6), (b) (7)(C)

WARD'S NAME

(b) (6), (b) (7)(C)

EMPLOYER

UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

Company failed to honor my seniority by allowing  
other employees to continue working and instructing  
me to clock out early.

ATTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

To be paid the most hours by the company employees.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining representative in this grievance and to make all necessary decisions in carrying out that responsibility. I agree that the Local Union may present my grievance in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" [LIST CONTRACT ARTICLE(S) VIOLATED]

49

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

No Contract violation.



PLEASE COMPLETE THE FOLLOWING

GRIEVANCE WAS PRESENTED TO: (MANAGER)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

(b) (6), (b) (7)(C)

PRINT NAME (b) (6), (b) (7)(C) NO, TX 78139 PH# (210) 590-2013 FAX (210) 590-4420

LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C)

TODAY'S DATE 18

PHONE (b) (6), (b) (7)(C)

SENIORITY DATE (b) (6), (b) (7)(C)

EMPLOYEE # (b) (6), (b) (7)(C)

OUR ADDRESS (b) (6), (b) (7)(C)

CITY/ST/ZIP (b) (6), (b) (7)(C)

CLASSIFICATION (b) (6), (b) (7)(C)

WORK LOCATION Georgetown

START TIME (b) (6), (b) (7)(C)

STEWARDS NAME (b) (6), (b) (7)(C)

EMPLOYER UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

WITNESSED

On 18, I notified (b) (6), (b) (7)(C) that I needed to use a sick day. I stated I was a no call/no show because I called after start time and wouldn't let me come in as I requested not to have a no call/no show. (b) (6), (b) (7)(C) called (b) (6), (b) (7)(C) to say (b) (6), (b) (7)(C) was late and let (b) (6), (b) (7)(C) come 50 minutes late. ELEMENT REQUEST (b) (6), (b) (7)(C) MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING: treated fairly regardless of race or being retaliated against. To be paid my contractual hours on 18 since (b) (6), (b) (7)(C) didn't let me use a sick day on come to work and everything be whole. Remove No call/No show (b) (6), (b) (7)(C)

GRIEVANT'S SIGNATURE (b) (6), (b) (7)(C)  
I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

DATE OF DECISION

FOR THE EMPLOYER

FOR THE UNION



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)

UPS 5122445004

2018 9:44:51 AM

# **EXHIBIT H**

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE \_\_\_\_\_  
PRINT NAME (b) (6), (b) (7)(C) LAST 4 DIGITS OF SSN (b) (6), (b) (7)(C) TODAY'S DATE 18  
PHONE (b) (6), (b) (7)(C) BIRTH DATE (b) (6), (b) (7)(C) EMPLOYEE # (b) (6), (b) (7)(C)  
YOUR ADDRESS (b) (6), (b) (7)(C) CITY/ST/ZIP (b) (6), (b) (7)(C)  
CLASSIFICATION (b) (6), (b) (7)(C) WORK LOCATION Georgetown START TIME (b) (6), (b) (7)(C)  
STEWARDS NAME (b) (6), (b) (7)(C) EMPLOYER UPS

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

On 18, I was wrongfully disqualified from my packet. I do not agree with the decision made by the Georgetown facility management. Please see attachment.

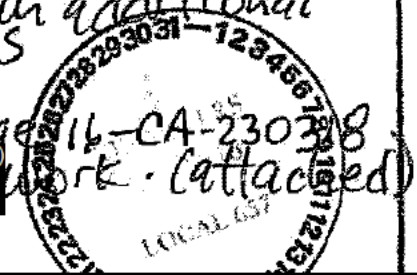
SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING  
to finish my packet to where I left off when I was disqualified and to receive pay for each day I was not allowed to work and everything made whole.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and it is the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

REPORT OF (b) (6), (b) (7)(C) ION. Provide a copy of the decision to management, the grievant and the Local Union. will be provided an additional qualification period as 18 4 this settlement satisfies provisions outlined in ULP charges 16-CA-23038 regarding and the offering of work. (attached)



(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

## INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
16-CA-230318	10/31/2018

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer UNITED PARCEL SERVICE		b. Tel. No.
		c. Cell No.
d. Address (street, city, state ZIP code) 116 E OLD SETTLERS BLVD, ROUND ROCK, TX 78664-2248	e. (b) (6), (b) (7)(C)	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Round Rock, TX
i. Type of Establishment (factory, nursing home, hotel) delivery services	j. Principal Product or Service delivery services	k. Number of workers at dispute location 1000

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a)(1)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices):

**SEE ATTACHMENT**

3. (b) (6), (b) (7)(C) organization, give full name, including local name and number	
4. (b) (6), (b) (7)(C)	4b. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filed in which charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Office, if any, Cell No.	
Fax No.	
(b) (6), (b) (7)(C)	Date: 10-31-18
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Charge Against UPS - Attachment

The Employer through its managers, supervisors and agents retaliated against (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) protected concerted and Union activities including filing grievances, going to Teamsters Local 657 for assistance, and making complaints to the UPS hotline about the Employer's treatment of other employees, failure to provide adequate water for employee, and a supervisor's displaying of an objectionable flag in the workplace. The Employer retaliated by the following actions:

1. The Employer removed (b) (6), (b) (7)(C) from the seniority list for (b) (6), (b) (7)(C) after (b) (6), (b) (7)(C) complained about sexual harassment by (b) (6), (b) (7)(C) had been on the list, which was posted for several months. Several supervisors repeatedly told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was eligible for the (b) (6), (b) (7)(C) list.
2. The Employer by its agent (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) would be awarded a (b) (6), (b) (7)(C) position only if (b) (6), (b) (7)(C) agreed to drop any grievance or claim against (b) (6), (b) (7)(C).
3. The Employer required (b) (6), (b) (7)(C) to start over completely with (b) (6), (b) (7)(C) training, and delayed (b) (6), (b) (7)(C) training for several months.
4. The Employer failed to investigate when employee (b) (6), (b) (7)(C) physically assaulted (b) (6), (b) (7)(C) and issued discipline to (b) (6), (b) (7)(C).
5. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) more onerous work assignments including more difficult and time consuming (b) (6), (b) (7)(C).
6. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) to other employees, while telling (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) had to "pick (b) (6), (b) (7)(C) own" (b) (6), (b) (7)(C) from the (b) (6), (b) (7)(C) that were left over (resulting in (b) (6), (b) (7)(C) being assigned the more difficult (b) (6), (b) (7)(C)).
7. During (b) (6), (b) (7)(C) training, the Employer assigned (b) (6), (b) (7)(C) a more difficult (b) (6), (b) (7)(C) on "peak" while other (b) (6), (b) (7)(C) trainees are assigned less difficult (b) (6), (b) (7)(C).
8. During (b) (6), (b) (7)(C) training, the Employer treated (b) (6), (b) (7)(C) differently from other employees who have come in late, by sending (b) (6), (b) (7)(C) home early or assigning (b) (6), (b) (7)(C) the most difficult work assignments while other employees' lateness is tolerated;
9. The Employer failed to review or grant (b) (6), (b) (7)(C) sick leave requests based on a doctor note; (b) (6), (b) (7)(C).
10. During (b) (6), (b) (7)(C) training, the Employer failed to train (b) (6), (b) (7)(C) properly for (b) (6), (b) (7)(C) assignments; (b) (6), (b) (7)(C).
11. During (b) (6), (b) (7)(C) training, the Employer tolerated or encouraged mislabeling of packages so that (b) (6), (b) (7)(C) is prevented from performing (b) (6), (b) (7)(C) driving duties in a timely manner; (b) (6), (b) (7)(C).
12. During (b) (6), (b) (7)(C) training, the Employer denied (b) (6), (b) (7)(C) the opportunity to come to work early so that (b) (6), (b) (7)(C) can properly perform (b) (6), (b) (7)(C) duties, while other employees were previously permitted to come to work early for the same reason.
13. The Employer threatened employees with retaliation if they refused to change their (b) (6), (b) (7)(C) witness statements concerning the assault by employee (b) (6), (b) (7)(C) of employee (b) (6), (b) (7)(C).
14. The Employer disqualified (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C) during (b) (6), (b) (7)(C) training period.

# **EXHIBIT I**

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



**DATE:**

8114 BOUTCHER DR SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

(b) (6), (b) (7)(C)

## TODAY'S DATE

(b) (6), (b) (7)(C)

**PRINT NAME**

LAST 4 DIGITS OF SSN

## TODAY'S DATE

(b) (6), (b) (7)(C) 18  
(b) (7)(C)

## HONE

**SENIORITY DATE**

**EMPLOYEE**

### YOUR ADDRESS

CITY/ST/ZIP

## CLASSIFICATION

### WORK LOCATION

START TIME

STEWART'S NAME

EMPLOYEE

**GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE ON THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE LEGIBLE DESCRIPTION OF YOUR CASE.**

On (b) (6), (b) (7)(C) -18 during (b) (6), (b) (7)(C) tried to humiliate me when I asked for water. (b) (6), (b) (7)(C) said for me to go to Walmart, buy my own, not US responsibility to provide water.

**SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING**

We've been without water for over 2 weeks. To have water restored and not only buy one pallet at a time but enough for preboard and drivers.

**GRIEVANT'S SIGNATURE**

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgement. In filling out this form and the grievance, the information is pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLES OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

**REPORT OF GRIEVANCE DECISION.** Provide a copy of the decision to management, the grievant and the Local Union.

Grievance withdrawn by

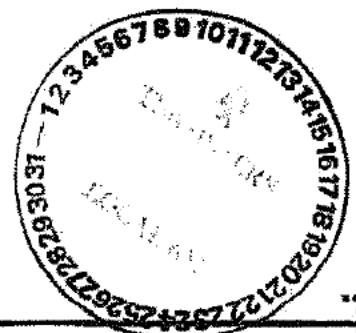
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

ER



(b) (6), (b) (7)(C)

PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

Time Stamp Here

DATE:

8214 BOULCHERIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

PHONE#

SENIORITY DATE

EMPLOYEE

OUR ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE IN THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR CASE.

On 11/18, (b) (6), (b) (7)(C) involved me in a matter that had nothing to do with me and said that I was part of the problem because of my facial expression.

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING Obvious retaliation because UPS received a charged that I made against them a few days prior to this incident to the NLRB.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective-bargaining agent and to make all necessary decisions in carrying out that responsibility in this grievance. In filling out this form and the grievance, the information I have given is true and correct and the information is pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" [LIST CONTRACT ARTICLE(S) VIOLATED]

36, 37

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

Grievance withdrawn by

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



# TEAMSTERS LOCAL 657 GRIEVANCE FORM

8214 ROUGH RIDER SAN ANTONIO, TX 78239 PH# (210) 590-2013 FAX (210) 590-4420

DATE

PRINT NAME

LAST 4 DIGITS OF SSN

TODAY'S DATE

EMPLOYEE #

HOME ADDRESS

CITY/ST/ZIP

CLASSIFICATION

WORK LOCATION

START TIME

STEWARDS NAME

EMPLOYER

GRIEVANCE: GIVE A BRIEF DESCRIPTION OF THE VIOLATION. DO NOT ARGUE YOUR GRIEVANCE THIS FORM. SIMPLY STATE THE FACTS LISTING WHEN, WHERE, WHO AND WHAT. ON A

SEPARATE SHEET, PLEASE PROVIDE A COMPLETE, LEGIBLE DESCRIPTION OF YOUR GRIEVANCE.

For the past two weeks I have not been asked to be [redacted] while crowd tests have asked people with less seniority.

From [redacted]

SETTLEMENT REQUESTED: TO BE MADE WHOLE IN EVERY WAY IN ADDITION TO THE FOLLOWING

To be paid all time by any junior employee that has performed this work and everything in [redacted] whole.

GRIEVANT'S SIGNATURE

I acknowledge that Teamsters Local Union 657 is my exclusive collective bargaining agent in this grievance and to make all necessary decisions in carrying out that responsibility in its judgment. In filling out this form and the grievance, the information I have given is true and is all the information pertinent to my grievance.

(TO BE COMPLETED BY THE STEWARD AND/OR BA) "THIS IS A VIOLATION OF ALL ARTICLE OF THE CONTRACT THAT MAY APPLY INCLUDING" (LIST CONTRACT ARTICLE(S) VIOLATED)

REPORT OF GRIEVANCE DECISION. Provide a copy of the decision to management, the grievant and the Local Union.

Grievance withdrawn by [redacted]



PLEASE COMPLETE THE FOLLOWING  
GRIEVANCE WAS PRESENTED TO: (MANAGER)

# **EXHIBIT J**



(b) (6), (b) (7)(C)

2018

I'm writing this statement to go on record of the problems I have personally experienced with my counter (b) (6), (b) (7)(C). Our first encounter happened on (b) (6), (b) (7)(C) first day in our building (b) (6), (b) (7)(C) was assigned as my partner on (b) (6), (b) (7)(C) and from the very beginning (b) (6), (b) (7)(C) demanded (b) (6), (b) (7)(C) take over as (b) (6), (b) (7)(C) even though that wasn't the job (b) (6), (b) (7)(C) was told to do. I attempted to continue in as normal and do the job I was assigned which at the time was (b) (6), (b) (7)(C). However (b) (6), (b) (7)(C) would go as far as (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Eventually I just allowed (b) (6), (b) (7)(C) to become (b) (6), (b) (7)(C). Later that same day during downtime (b) (6), (b) (7)(C) mistook my conversation and certain (b) (6), (b) (7)(C) with a counter as me talking about (b) (6), (b) (7)(C) proceeded to come my way aggressively saying things like, "do you have a problem with me?" "Do you have a f\*\*\*ing problem?" Naturally my response was confusion as it was (b) (6), (b) (7)(C) first day, I didn't know (b) (6), (b) (7)(C) and I wasn't conversing with (b) (6), (b) (7)(C) at the time. Our next incident happened the following day (b) (6), (b) (7)(C). During break I tried to approach (b) (6), (b) (7)(C) privately so we could clear the air about what happened the day before. I asked nicely, "Can I talk to you for a minute?" And (b) (6), (b) (7)(C) response was "No, get the hell away from me." I then stepped away and decided that I tried



voice in an aggressive tone like the day before. The argument did not stop until I walked away and asked to either be moved in for [REDACTED] to be moved. From that day we have never worked next to each other in on the same [REDACTED] cabin to avoid further problems. That same week I witnessed [REDACTED] snap, yell, and disrespect other coworkers as well [REDACTED] created a very hostile environment if [REDACTED] did not get [REDACTED] way or if someone did something [REDACTED] didn't personally agree with. I never spoke up before because I was [REDACTED] and I didn't say anything when [REDACTED] presented itself last week because [REDACTED] and I haven't had any problems like just explained in a while. However I believe that is strictly because we work apart.

(b) (6), (b) (7)(C)

Tuesday, (b) (6), (b) (7)(C)

2018

I was instructed by (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) to train my (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and to help (b) (6), (b) (7)(C) keep (b) (6), (b) (7)(C) area clean since (b) (6), (b) (7)(C) was having a minor problem with (b) (6), (b) (7)(C) printer paper. I brought a (b) (6), (b) (7)(C) over to (b) (6), (b) (7)(C) opened it up, and placed it at (b) (6), (b) (7)(C) side gently since I was asked to help everyone maintain a constant supply of work. (b) (6), (b) (7)(C) responded by grabbing the (b) (6), (b) (7)(C) aggressively and chucking it over to (b) (6), (b) (7)(C) opposite side giving (b) (6), (b) (7)(C) partner, (b) (6), (b) (7)(C) who already had a large amount of (b) (6), (b) (7)(C). An abundance of (b) (6), (b) (7)(C) were coming out of (b) (6), (b) (7)(C) towards (b) (6), (b) (7)(C) side so i began to set them up like I do for everyone else in any (b) (6), (b) (7)(C) to maintain our flow. (b) (6), (b) (7)(C) did not like my presence, i suppose and started to turn around to confront me. I yelled for my supervisor before anything escalated and walked away to help (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stormed off and turned (b) (6), (b) (7)(C) outrage to our supervisors.

(b) (6), (b) (7)(C) 18

Employee #

(b) (6), (b) (7)(C)

18

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, (b) (6), (b) (7)(C) 2018 9:11 AM  
**To:** (b) (6), (b) (7)(C); (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** (b) (6), (b) (7)(C) 2018 Confrontation Statement

To whom it may concern,

(b) (6), (b) (7)(C) 2018 at (b) (6), I was walking past the a bulletin board on my way to the DMV when I stopped to see why the (b) (6) employees were crowding each other. I stopped and asked (b) (6), (b) (7)(C) what everyone was signing up for. At the head of the line were (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) it appeared they were both aiming for the list with the most names on it. (b) (6), (b) (7)(C) was attempting to look at a list up close when (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) not to get way then proceeded to physically put (b) (6), (b) (7)(C) arm out to remove (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) did not step back and remained in the same position to continue looking at the list. (b) (6), (b) (7)(C) insisted that (b) (6), (b) (7)(C) needed to leave and proceeded to intimidate (b) (6), (b) (7)(C) into leaving. (b) (6), (b) (7)(C) did not stand down from the confrontation and continued to mumble words I was not able to hear. After a few seconds of bickering and continuing to force each other out (b) (6), (b) (7)(C) called out for (b) (6), (b) (7)(C) to deescalate the confrontation, claiming that (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C). During the confrontation I was standing approximately 3-feet away from both employees and the only physical contact I witnessed was (b) (6), (b) (7)(C) initial attempt to push (b) (6), (b) (7)(C) aside. My concern in this matter lies in (b) (6), (b) (7)(C) sporadic and aggressive behavior, which I have personally experienced a number of times as an (b) (6), (b) (7)(C). I did not write a statement for the following event however, my first week at the Georgetown Center there was a very hostile verbal altercation in the (b) (6), (b) (7)(C) office between (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) seniority. (b) (6), (b) (7)(C) was also there as a witness. Furthermore, I would like to submit this as an official statement as an expression of my concern for the future of this operation.

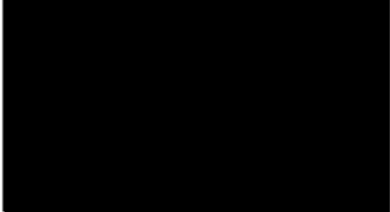
Thank you,  
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)/2018

To whom it may concern,

On (b) (6), (b) (7)(C)/2018, as I was walking back to the (b) (6), department from the (b) (6), (b) (7)(C) office I witnessed (b) (6), (b) (7)(C) pull out (b) (6), (b) (7)(C) phone and take a picture while on the (b) (6), (b) (7)(C). After (b) (6), (b) (7)(C) confronted (b) (6), (b) (7)(C) about the incident (b) (6), (b) (7)(C) denied and claimed (b) (6), (b) (7)(C) was only changing (b) (6), (b) (7)(C) music. I witnessed (b) (6), (b) (7)(C) use Snapchat to take a picture, write a message, and send it off. This is not the first time I have seen (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) phone when (b) (6), (b) (7)(C) is not supposed to.

(b) (6), (b) (7)(C)





To: (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C) 2018

Re: (b) (6), (b) (7)(C)

On (b) (6), (b) (7)(C) 2018, we got 13 new hires in our building, one of them was (b) (6), (b) (7)(C). During cornerstone class (b) (6), (b) (7)(C), takes them on a tour of the facility so they can observe what goes on during a regular day on the prelod. After the tour, (b) (6), (b) (7)(C) takes them back to the classroom and allows the new hires to ask any questions or voice any concerns they may have. At this time, they are also asked where they could see themselves working. (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) if there was any way that (b) (6), (b) (7)(C) could work in the (b) (6), (b) (7)(C). At this time, we did need people in the (b) (6), (b) (7)(C), so that is where (b) (6), (b) (7)(C) was assigned. (b) (6), (b) (7)(C) was in the (b) (6), (b) (7)(C) first day on the floor. (b) (6), (b) (7)(C) was struggling so we moved (b) (6), (b) (7)(C) to one of the (b) (6), (b) (7)(C). Towards the end of the (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was (b) (6), (b) (7)(C) in a (b) (6), (b) (7)(C) for about 30 minutes. After about 15 minutes of (b) (6), (b) (7)(C) being in the (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) got light headed and dizzy. I say (b) (6), (b) (7)(C) down in the office and gave (b) (6), (b) (7)(C) some water until (b) (6), (b) (7)(C) felt ok to leave (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) and myself were discriminating against (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) was an (b) (6), (b) (7)(C) and no other (b) (6), (b) (7)(C) has ever been on the (b) (6), (b) (7)(C). That statement is not true. (b) (6), (b) (7)(C) was put up there at (b) (6), (b) (7)(C) request and there have been other (b) (6), (b) (7)(C) up there.

(b) (6), (b) (7)(C)

To: (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C) 2018

Re: (b) (6), (b) (7)(C)

On (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that (b) (6) was feeling some pain in (b) (6) lower abdomen and (b) (6) thought that (b) (6) had a (b) (6). (b) (6) continued to work through the day in the (b) (6), (b) (7)(C). Later on that day, (b) (6), (b) (7)(C) received a call that (b) (6) had gone to the doctor and would be out until the (b) (6), (b) (7)(C). On the (b) (6), (b) (7)(C) brought me a doctor's note and was fully released. At no time did (b) (6), (b) (7)(C) do any kind of light duty. (b) (6), (b) (7)(C) medical condition is not work related.

(b) (6), (b) (7)(C)

To: (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C) 2018

Re: (b) (6), (b) (7)(C)

During the week of (b) (6), (b) (7)(C), 2018, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) that (b) (6) was experiencing some pain in (b) (6) abdomen and thought that it might be a (b) (6), (b) (6), (b) (6) went to the doctor and was fully released. (b) (6), (b) (6) never did any kind of TAW. (b) (6), (b) (7)(C) medical condition is not work related.

Thanks

(b) (6), (b) (7)(C)

On Tuesday I was (b) (6), (b) (7)(C) After  
getting back from PM I was met by the (b) (6), (b) (7)(C) driver at  
the truck telling me to stop (b) (6), (b) (7)(C) because I  
"didn't know how to." My (b) (6), (b) (7)(C) supervisors had me continue  
to (b) (6), (b) (7)(C) until (b) (6), (b) (7)(C) began to (b) (6), (b) (7)(C)  
After an hour of (b) (6), (b) (7)(C) ~~everyone~~ everyone was  
pulled out of that (b) (6), (b) (7)(C) and talked to on the side. The  
reasoning behind the (b) (6), (b) (7)(C) emotions were that I wrote too  
slowly and sometimes wrote over the barcode (b) (6), (b) (7)(C) needed  
to scan. Nothing I can fix about my handwriting too much but  
I will ~~definitely~~ for sure make sure to stay away from  
the barcodes. I have no problem with what happened and  
am unfazed, doing my work.

(b) (6), (b) (7)(C)



United Parcel Service



**WARNING**

USPENSIO

DISCHARGE

Seniority Dates

(b) (6), (b) (7)(C)

Employee's Name

(b) (6), (b) (7)(C)

Employee Identification Number

(b) (6), (b) (7)(C) 14

(b) (6), (b) (7)(C)

Job Classification

Georgetown

Center Name

7871

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Stealing Time

FACTS (Include date of meeting and infraction date and/or Management's discovery date):

On (b) (6), (b) (7)(C) 2018, (b) (6), (b) (7)(C) came back from break 5 minutes late.

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) stealing time

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

(b) (6), (b) (7)(C)

OTHERS CONTACTED OR INVOLVED: Company:

Un

(b) (6), (b) (7)(C)

Steward Signature

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date of meeting

Employee Signature

I have been offered union representation

Signed

I have declined union representation

Signed

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

Initial

and forward to Labor Relations Department. LABOR FAX 210 661 1691

United Parcel Service



**WARNING**

USPENSIO

DISCHARGE

Seniority Dates

(b) (6), (b) (7)(C)

Employee's Name

(b) (6), (b) (7)(C)

Employee Identification Number

(b) (6), (b) (7)/18

(b) (6), (b) (7)(C)

Job Classification

Georgetown

Center Name

7871

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Failure to follow supervisor's instructions.

FACTS (Include date of meeting and infraction date and/or Management's discovery date):

On (b) (6), (b) (7) 2018, (b) (6), (b) (7) was instructed to clock out and go home. (b) (6), (b) (7) did not follow orders and continued to stay on the clock.

This "WARNING Letter" is being issued in response to (b) (6), (b) (7) failure to follow supervisor's instructions.

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED:

Company:

Union:

Steward Signature:

(b) (6), (b) (7)(C)

Date of meeting

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Employee Signature

I have been offered union representation.

Signed:

I have declined union representation.

Signed:

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

(initial)

and forward to Labor Relations Department . LABOR FAX 210 861 1691

United Parcel Service



**WARNING**

USPENSIO

DISCHARGE

Seniority Dates

(b) (6), (b) (7)(C)

Employee's Name

(b) (6), (b) (7)(C)

Employee Identification Number

(b) (6), (b) (7)(C) 14

(b) (6), (b) (7)(C)

Job Classification

Georgetown

Center Name

7871

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Failure to follow proper break procedures

FACTS (Include date of meeting and infraction date and/or Management's discovery date):

On (b) (6), (b) (7)(C) 18, (b) (6), (b) (7)(C) came back to (b) (6), (b) (7)(C) work station 5 minutes late

This "WARNING Letter" is being issued in response to (b) (6), (b) (7)(C) failure to follow proper break procedures

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED:

Company

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Steward

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I have been offered union representation.

Signed: \_\_\_\_\_

I have declined union representation.

Signed: \_\_\_\_\_

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

Initial

and forward to Labor Relations Department.

LABOR FAX 210 661 1691

United Parcel Service



**WARNING**

USPENSIO

DISCHARGE

Seniority Dates

(b) (6), (b) (7)(C)

Employee's Name

(b) (6), (b) (7)(C)

Employee Identification Number

(b) (6), (b) (7) 14

(b) (6), (b) (7)(C)

Job Classification

Georgetown

Center Name

7871

Center

cc: Center File, Labor and copy to Employee & Steward after signing

REASON (Failure to fulfill the obligations and requirements of the job):

Failure to follow multiple instructions

FACTS (Include date of meeting and infraction date and/or Management's discovery date):

On (b) (6), (b) (7) 18, (b) (6), (b) (7) failed to follow supervisor's instructions.

(b) (6), (b) (7) was instructed to go back to (b) (6), (b) (7) work area 2 - 3 times

This "WARNING Letter" is being issued in response to (b) (6), (b) (7) failure to follow instructions

This letter is in accordance with Article 52.

EMPLOYEE'S COMMENTS:

REMARKS OR COMMENTS:

However, continued occurrences may result in further disciplinary action up to and including discharge.

OTHERS CONTACTED OR INVOLVED:

Company

Union

Steward Signature:

(b) (6), (b) (7)(C)

18  
ing

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I have been offered union representation

Signed:

I have declined union representation

Signed:

cc: Center File, Labor and copy to Employee & Steward after signing

Division Manager

Initial

and forward to Labor Relations Department. LABOR FAX 210 681 1691



LAURA BRADARICH WILLIAMS  
(817) 305-0328  
laura.williams@phelps.com

December 12, 2018

21914-0564

**VIA NLRB E-PORTAL**

Randy Girer  
Field Attorney  
National Labor Relations Board – Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103

Re: **(b) (6), (b) (7)(C)** v. *United Parcel Service, Inc.*  
Case No. 16-CA-230318

Dear Ms. Girer:

Respondent United Parcel Service, Inc. (“UPS” or the “Company”) responds to the Board’s request for information, dated November 7, 2018, as follows:

**RESPONSE TO REQUEST FOR INFORMATION**

**1. Employee file for **(b) (6), (b) (7)(C)**.**

Please see **(b) (6), (b) (7)(C)** Georgetown Center File, attached hereto as Exhibit J.

**2. Copies of all Hotline complaints filed by **(b) (6), (b) (7)(C)****

UPS provides copies of all “corporate complaints” (sometimes called “hotline complaints”) reported by **(b) (6), (b) (7)(C)** to Human Resources in 2018. Please see Exhibit D, attached to UPS’s contemporaneously-filed position statement.

**3. Explanation for why **(b) (6), (b) (7)(C)** was not permitted to start **(b) (6), (b) (7)(C)** training until September 25.**

**(b) (6), (b) (7)(C)** began **(b) (6), (b) (7)(C)** on or around **(b) (6), (b) (7)(C)** 2018, when **(b) (6), (b) (7)(C)** attended a week-long **(b) (6), (b) (7)(C)** training class. **(b) (6), (b) (7)(C)** like all temporary **(b) (6), (b) (7)(C)** trainees in the Georgetown Facility, was then scheduled for **(b) (6), (b) (7)(C)** training in the order in which **(b) (6), (b) (7)(C)** completed **(b) (6), (b) (7)(C)** classroom training. Please see UPS’s position statement and exhibits contemporaneously filed with this response to the Board’s request for information.

**4. Explanation for why **(b) (6), (b) (7)(C)** was not permitted to complete **(b) (6), (b) (7)(C)** training.**

**(b) (6), (b) (7)(C)** was disqualified from **(b) (6), (b) (7)(C)** training because of **(b) (6), (b) (7)(C)** poor performance and lack of progress during **(b) (6), (b) (7)(C)** training. However, consistent with the parties’

(b) (6), (b) (7)(C) v. *United Parcel Service, Inc.*

Case No. 16-CA-230318

Page 2

agreed settlement of (b) (6), (b) (7)(C) grievance and unfair labor practice charge allegations on this subject, (b) (6), (b) (7)(C) began a second attempt at (b) (6), (b) (7)(C) training on (b) (6), (b) (7)(C) 2018. Please see UPS's position statement and exhibits contemporaneously filed with this response to the Board's request for information.

After reviewing this letter, if you believe any Board affidavits or additional information is necessary for you to complete the investigation, please contact me at (817) 305-0328 or Dennis McClelland at (813) 472-7865 to discuss.

Sincerely,

PHELPS DUNBAR LLP

A handwritten signature in cursive script, appearing to read 'L.B. Williams'.

Laura B. Williams

Enclosures

cc: Dennis M. McClelland, Esq.

(b) (6), (b) (7)(C)

2 People

against O/S. I want to make sure that I am clear on what charge(s) you are withdrawing. Also: I want to make sure that you don't inadvertently withdraw anything which is past the 6 month time limit - because you will not be able to re-file.  
Please have a look at the email after work, and get back to me. Thank you. Randy

Can you talk for a moment

(b) (6), (b) (7)(C)

KD

Yes

KD

Make sure you tell the UPS attorneys that I am withdrawing until I have time to pursue.

Ok

Text Message





# ORAL WITHDRAWAL REQUEST FORM

Case Name UNITED PARCEL SERVICE

Case No. 16-CA-230318, 20-CA-231384, 20-CA-231272

On 12-12-18 in a telephone conversation,  
Date

(b) (6), (b) (7)(C), Charging Party informed the undersigned  
Name

Board Agent that the Charging Party desired to withdraw:

- ☒ the above referenced charge(s)  
☐ the above referenced petition(s)  
☐ the following allegations only

☐ Other

and authorized withdrawal on an oral basis.

12-13-18

Date

/s/ Randy M. Giner

Electronic Signature of Board Agent

Withdrawal request approved:

12-26-18

Date

/s/ Jennifer E. Benesis, Acting

Electronic Signature of Regional Director,  
Region 20





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156

December 26, 2018

Dennis M. McClelland, Esq.  
Phelps Dunbar LLP  
100 S. Ashley Dr., Ste. 2000  
Tampa, FL 33602

Mike Souillard  
Human Resources  
United Parcel Service  
116 E. Old Settlers Blvd  
Round Rock, TX 78664-2248

Laura Bradarich Williams, Esq.  
Phelps Dunbar LLP  
115 Grand Ave., Ste. 222  
Southlake, TX 76092-7626

Re: United Parcel Service  
Cases 16-CA-230318  
20-CA-231372  
20-CA-231384

Dear Mr. McClelland, Mr. Souillard, and Ms. Williams:

This is to advise you that I have approved the withdrawal of the charges in the above cases.

Very truly yours,

/s/

JENNIFER E. BENESIS  
Acting Regional Director

cc: (b) (6), (b) (7)(C)

